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THE FIRST TWENTY SIX

BOMBAY

REGULATIONS

OF

1827.

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REGULATION IV. A. D. 1827.—*Continued.*

Chapter II. commencing with Section II.	Of the mode of instituting Suits.	
Chapter III. commencing with Section V.	Of process for summoning and arresting Defendants, and for Sequestrating their Property.	
Chapter IV. commencing with Section XII.	Of the continuation and completion of the Pleadings.	
Chapter V. commencing with Section XVIII.	Of withdrawing Suits.	
Chapter VI. commencing with Section XIX.	Of fixing the time of Trial, of Defaults, of Trial, and of the Law to be followed.	
Chapter VII. commencing with Section XXIX.	Of Exhibits.	
Chapter VIII. commencing with Section XXXI.	Of Commissions for ascertaining facts depending upon Local circumstances.	
Chapter IX. commencing with Section XXXII.	Of Witnesses.	
Chapter X. commencing with Section XLVI.	Of notice to be given to Coheirs interested in Suits which have been instituted without their participation.	
Chapter XI. commencing with Section XLIII.	Of Contempts.	
Chapter XII. commencing with Section LVII.	Of Costs.	
Chapter XIII. commencing with Section LIX.	Of enforcing Security Bonds taken in Suits.	
Chapter XIV commencing with Section LX.	Of the Decree and its enforcement.	
Chapter XV. commencing with Section LXXI.	Of the revision of Original Decrees.	
Chapter XVI. commencing with Section LXXII.	Of the admission and rejection of Appeals.	Clauses 1st. 2nd and 3rd, Section LXXII. rescinded by Section I. Regulation VII. A. D. 1831.
Chapter XVII. commencing with Section LXXXI.	Of staying and executing Decrees under Appeal.	
Chapter XVIII. commencing with Section LXXXIII.	Of Procedure and Trial in Appeal.	
Chapter XIX. commencing with Section XCIV.	Of the Decree in Appeal.	

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REGULATION IV. A. D. 1827.—*Continued.*

Chapter XX. commencing with Section XCVI.	Of the revision of Decrees passed in Appeal.	
Chapter XXI. commencing with Section XCVII.	Of applications to the Suddur Dewanee Adawlut, in incidental Complaints.	
Chapter XXII. commencing with Section XCIX.	Of Special Appeals,	
Chapter XXIII. commencing with Section C.	Of Appeals to the King in Council.	

REGULATION II. A. D. 1830.

(SUPPLEMENT. I. TO REGULATION IV. A. D. 1827.)

PASSED ON THE 27TH JANUARY 1830.

For modifying the Rules in respect to the admission of Appeals. — Rescinded by Section I. Regulation VII. A. D. 1831.

REGULATION XII. A. D. 1830.

(SUPPLEMENT II. TO REGULATION IV. A. D. 1827.)

PASSED ON THE 17TH MARCH 1830.

For modifying the Rules provided in Clause 1st Section III. of Regulation IV. of 1827, for valuing Land in Civil Actions.

REGULATION VII. A. D. 1831.

(SUPPLEMENT III. TO REGULATION IV. A. D. 1827.)

PASSED ON THE 29TH JUNE 1831.

For modifying the Rules under which Appeals in Civil Suits are to be admitted.

REGULATION V. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

Defining the limitations, as to time, within which Civil Actions may be prosecuted, and containing Rules of Judication respecting written acknowlegdments of Debts, executed without Receipt of a full consideration, also regarding Interest, the tendering payment of Debts, and the disposal of Property Mortgaged or Pledged.

Chapter I. commencing with Section I.	Of limitation of time for prosecuting Civil Actions.	
Chapter II. commencing with Section IX.	Of acknowledgments of Debts, executed without receipt of a full consideration in value.	
Chapter III. commencing with Section X.	Of the rate of Interest, and the period during which it may continue	

Chapter IV. commencing with Section XIV.	How a Claim to Interest is affected by Tender of Payment.	
Chapter V. commencing with Section XV.	Of the disposal of Property Mortgaged or Pledged.	

REGULATION VI. A. D. 1827.

PASSED ON THE 1st JANUARY 1827.

For admitting Persons to Sue or Defend in Suits or Appeals in Formâ Pauperis.

REGULATION VII. A. D. 1827.

PASSED ON THE 1st JANUARY 1827.

To facilitate the Amicable Adjustment of Disputes of a Civil Nature by means of Arbitrators (a Punchaet)

Chapter I. commencing with Section I.	Of the appointment of Arbitrators for adjusting Disputes of a Civil Nature.	
Chapter II. commencing with Section IV.	Of the Proceedings of Arbitrators.	
Chapter III. commencing with Section VIII.	Of making, executing, and appealing from Awards.	

REGULATION VIII. A. D. 1827.

PASSED ON THE 1st JANUARY 1827.

To provide for the formal recognition of Heirs Executors, and Administrators, and for the appointment of Administrators and Managers of Property by the Courts.

Chapter I. commencing with Section I.	Rules for the recognition of Heirs, Executors, and Administrators when there is a competent Claimant.	
Chapter II. commencing with Section IX.	Of the appointment of an Administrator by the Zilla Court, when there is no Heir or Executor, competent and willing to be placed in possession.	

REGULATION IX. A. D. 1827.

PASSED ON THE 1st JANUARY 1827.

For establishing a Register of Title Deeds, and a General Register of Deeds, Obligations, and other Writings, in each Zilla Subordinate to the Presidency of Bombay.

Chapter I. commencing with Section I.	Of the form and nature of the Register of Title Deeds, and the General Register respectively and of the mode of registering Documents.	
Chapter II. commencing with Section VI.	Of the effect of Registration in the Register of Title Deeds and Special Provisions in favour of Ancient Documents and of the grant of Copies of Registered Deeds.	

REGULATION IX. A. D. 1827.—*Continued.*

Chapter III. commencing with Section IX.	Of the effect of Registration in the General Registry.	

REGULATION XIII A. D. 1828.

(SUPPLEMENT 1ST TO REGULATION IX. A. D. 1827.)

PASSED ON THE 20TH AUGUST 1828.

For enabling Assistant Judges, when expedient, to keep the Registers prescribed by Regulation II of 1827, when stationed in the District.

REGULATION X. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

For Trying and Deciding Disputes regarding the Boundaries of Villages, by means of a Special Commission.

Chapter I. commencing with Section I.	For constituting a Commission for the Trial of Disputes regarding Boundaries, and of appointing its Members.	
Chapter II. commencing with Section IV.	Of the Proceedings of the Commission.	
Chapter III. commencing with Section XIII.	Of executing and appealing from the Judgments of the Commission.	

REGULATION XI. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

For defining the Persons subject to the operation of the Regulations on Criminal Judicature, under what circumstances Foreigners may be given up to the Government to which they belong, and under what circumstances Government may exercise a control over the Residence and Persons of Emigrants and their Descendants.

Chapter I. commencing with Section I.	Of Persons subject to the operation of the Regulations on Criminal Judicature, and the circumstances under which they are respectively subject to that operation.	
Chapter II. commencing with Section V.	Of Refugees from Foreign Countries, both Natives of India and others, charged with having committed Crimes or Offences before they quitted those Countries.	
Chapter III. commencing with Section VIII.	Rules applicable to Emigrants and the Descendants of Emigrants in general.	

REGULATION XII. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

For the establishment of a system of Police throughout the Zillas Subordinate to Bombay; for providing Rules for its Administration, and for defining the Duties and Powers of all Police Authorities and Servants.

Chapter I. commencing with Section I.	Establishments for the Administration of Police.	Section I. partly rescinded by Section I. Regulation IV. A. D. 1830.
Chapter II. commencing with Section IX.	Of the Ordinary Duties of the Zilla Magistrate.	
Chapter III. commencing with Section XXIV.	Precautionary measures for the preservation of the Peace and prevention of Crime.	
Chapter IV. commencing with Section XXXI.	Extraordinary measures conducive to the Apprehension and Punishment of Offenders.	
Chapter V. commencing with Section XI.	Duty of the District Police Officers.	
Chapter VI. commencing with Section XLVIII.	Duties of the Village Police Officer or Head of the Village, and of Village Police.	

REGULATION XII. A. D. 1828.

(SUPPLEMENT 1ST TO REGULATION XII. A. D. 1827.)

PASSED ON THE 20TH AUGUST 1828.

For giving to Assistant Criminal Judges, where expedient, when stationed elsewhere than at the Suddur Station of a Zilla, the Police Powers within the Limits of the Town where he may be stationed, and for empowering Zilla Magistrates to refer Cases to such Assistant Criminal Judge, instead of the Criminal Judge.

Rescinded by Section I. Regulation III. A. D. 1830.

REGULATION IV. A. D. 1830.

(SUPPLEMENT 2ND TO REGULATION XII. A. D. 1827.

PASSED ON THE 27TH JANUARY 1830.

Rescinding such parts of Regulation XII. of 1827, *as vest the Criminal Judge with Police Jurisdiction of the Magistrate, and his Assistants.*

REGULATION XIII. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

For defining the constitution of Courts of Criminal Justice, and the Functions and Proceedings thereof.

Chapter I. commencing with Section I.	Functions of Criminal Justice, and establishment of Courts for its Administration.	

REGULATION XIII. A. D. 1827.—*Continued.*

Chapter II. commencing with Section XII.	Of the Duties of the Criminal Judges.	
Chapter III. commencing with Section XVI.	Of the Functions of the Court of Circuit, and Duties of the Criminal Judge as connected therewith.	
Chapter IV. commencing with Section XXIV.	Of the Duties of the Special Court.	
Chapter V. commencing with Section XXVII.	Of the Duties of the Court of Suddur Foujdaree Adawlut.	Clause 5th Sec. XXX. rescinded by Sec. VII. Regulation VII. A D. 1831.
Chapter VI. commencing with Section XXXIV.	Rules for procuring, taking and recording Evidence, and for the conduct of Trials by Criminal Courts.	Clause VI. Sec. XXXVIII. rescinded by Sec. VIII. Regulation VIII. A. D. 1831.
Chapter VII. commencing with Section XLII.	Of the Jail, and of the Custody and Treatment of Prisoners.	

REGULATION VIII. A. D. 1228.

(SUPPLEMENT 1ST TO REGULATION XIII. A. D. 1827.)

PASSED ON THE 20TH AUGUST 1828.

Instituting a Provincial Court of Circuit for the Zillas comprised in the Province of Guzerat, subject to the Supreme Criminal Jurisdiction of the Suddur Foujdaree Adawlut, upon the removal of that Court to the Presidency and for providing for the Charge of Jail where there is no Criminal Judge or Assistant Criminal Judge.

Rescinded by Section I. Regulation III. A. D. 1830.

REGULATION XI. A. D. 1828.

(SUPPLEMENT 2ND TO REGULATION XIII. A. D. 1827.)

PASSED ON THE 20TH AUGUST 1828.

For rendering, where expedient, the Powers of Asssistant Criminal Judges Co-extensive with Assistant Judge, in regard to the Limit of Civil Jurisdsction, when stationed elsewhere than at the Suddur Station of a Zilla, and extending their Powers.

REGULATION XVI. A. D. 1828.

(SUPPLEMENT 3RD TO REGULATION XIII. A. D. 1827.)

PASSED ON THE 24TH SEPTEMBER 1828.

For establishing Subsidiary Jails where necessary.

REGULATION III. A. D. 1830.

(SUPPLEMENT 4TH TO REGULATION XIII. A. D. 1827.)

PASSED ON THE 27TH JANUARY 1830.

Rescinding Regulations VIII. and XII. of 1828, *and vesting the Criminal Judges with the Powers and Functions of Session Judges.*

REGULATION VIII. A. D. 1831.

(SUPPLEMENT 5TH TO REGULATION XIII. OF 1827.

PASSED ON THE 29TH JUNE 1831.

For modifying the Jurisdiction of Session Judges and Judicial Commissioners.

REGULATION XIV. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

For defining Crimes and Offences, and specifying the Punishments to be inflicted for the same.

Chapter I. commencing with Section I.	A general description of the Acts which are to be considered Criminal with reference to the mode in which each is Punishable.	
Chapter II. commencing with Section III.	Of Punishments and the mode of their Execution.	
Chapter III. commencing with Section XII.	Of Offences against the State in its Domestic and Foreign relations, and the Punishments to which they are liable, comprising. *Treason,* *Rebellion,* *Unlawful attempt to alter the established Laws.* *Disturbing the Peace of Foreign States.*	
Chapter IV. commencing with Section XVI.	Of Offences against Morality or the Community at large, and the Punishments to which they are liable, comprising. *Perjury,* *Forgery,* *Coining,* *Issuing Base Coin,* *Selling Poisons.* *Disguising the appearance of Valuable Articles.* *Fraudulent use of Weights or Measures; Fraudulently describing Articles offered for Sale; violation of Local Police Rules; Escape from Custody; Resistance of Legal Process.*	Section XXVI. partly rescinded by Section I. Regulation V. A. D. 1831.

REGULATION XIV A. D. 1827.—*Continued.*

Chapter V. commencing with Section XXVI.	Of Offences against the Person, and the Punishments to which they are liable, comprising. *Murder,* *Culpable Homicide,* *Procuring Abortion,* *Rape, and other Assaults,* *Insult and Threatening.* *Illegal Import Export and Transfer of Slaves; Kidnapping; Detention and Forced Service.* *Denunciations by means of Traga, Dhurna, Jhansa, &c.*	Cluase 2nd Section XXVI. partly rescinded by Section I. Regulation XVI. A. D. 1830.
Chapter VI. commencing with Section XXXVI.	Of Offences against Property, and the Punishment to which they are liable, comprising. *Gang Robbery,* *Robbery,* *Theft,* *Breach of Trust,* *Receiving Stolen Goods,* *Destroying Property.*	

REGULATION XVII. A. D. 1828.

(SUPPLEMENT 1ST TO REGULATION XIV. A. D. 1827.)

PASSED ON THE 3RD DECEMBER 1828.

To provide for the Punishment of the Crime of Conspiracy.

REGULATION III. A. D. 1829.

(SUPPLEMENT 2ND TO REGULATION XIV. A. D. 1827.)

PASSED ON THE 18TH NOVEMBER 1829.

To provide for the Punishment of Frauds committed in the Packing and Sale of Cotton.

REGULATION XVI. A. D. 1830.

(SUPPLEMENT 3RD TO REGULATION XIV. A. D. 1827.)

PASSED ON THE 29TH MAY 1830.

To rescind that part of Clause 2nd Section XXVI. Regulation XIV. of 1827, which exempts persons, assisting at Rites of self Immolation, from the Penalty of Murder, and declaring the Punishments to which persons shall be liable, who may assist, or use force or violence, in the commission of such Acts.

REGULATION V. A. D. 1831.

(SUPPLEMENT. 4TH TO REGULATION XIV. OF 1827.)

PASSED ON THE 4TH MAY 1831.

For making persons effecting an Escape from Custody, unaccompanied by force, liable to the Penalties prescribed in Regulation XIV. Section XXIV. of 1827.

REGULATION XV. A. D. 1827.

PASSED ON THE 1st JANUARY 1827.

Containing Rules under which Land Holders may be invested with Police Authority within their respective Lands, or other convenient Limits, and deprived of the same; and declaring the mode of procedure to be followed in regard to them in Criminal Matters.

Chapter I. commencing with Section I.	Of the Appointment of Land Holders to the Police Jurisdiction within their Lands or other convenient limits, and of the extent and nature of the authority conferred upon them, and mode in which it may be withdrawn.	Section XI. rescinded by Section I. Regulation IX. A. D. 1831.
Chapter II. commencing with Section XIV.	Of the mode of procedure to be followed in Criminal Matters in regard to Land Holders invested with Police Authority under this Regulation.	

REGULATION IX. A. D. 1831.

(SUPPLEMENT 1st to REGULATION XV. A. D. 1827.

PASSED ON THE 29th JUNE 1831.

For modifying the Rules under which Land Holders may be invested with Police Jurisdiction.

REGULATION XVI A. D. 1827.

PASSED ON THE 1st JANUARY 1827.

Defining the Duties of the Collector, and his Power in regard to Subordinate Revenue Officers, and providing Rules for the guidance of Land Revenue Officers in general, throughout the Territories Subordinate to Bombay.

Chapter I. commencing with Section I.	Of the Appointment and Duties of the Collector and his Assistants.	
Chapter II. commencing with Section IX.	Of Native Collectors of Districts and other Native Officers on the regular establisment of the Collector.	
Chapter III. commencing with Section XVII.	Of Hereditary District and Village Officers, inclusive of Village Accountants.	

REGULATION IV. A. D. 1831.

(SUPPLEMENT 1st to REGULATION XVI. A. D. 1827.

PASSED ON THE 26th JANUARY 1831.

For vesting on special occasions Assistant Collectors, being also Assistant Magistrates, when on Deputation, with Criminal Jurisdiction, in Offences declared Penal under Section XI. of Regulation XVI and Section XVI. of Regulation XVII. A. D. 1827, and hitherto cognizable only by Collectors as Magistrates.

REGULATION XIII. A. D. 1831.

(SUPPLEMENT 2ND TO REGULATIONS XVI. AND XX. A. D. 1827.)

PASSED ON THE 17TH AUGUST 1831.

Modifying the Provisions of Section II. Regulation XVI. with respect to the Collection of Inland Duties and Customs, and also the Provisions of Regulation XX. of 1827, with respect to Sea Customs, and providing for the realization of these Revenues by other Covenanted Servants, than those specified in the abovementioned Regulations, or by Farming the same when deemed expedient.

REGULATION XV. A. D. 1831.

(SUPPLEMENT 3RD TO REGULATION XVI. A. D. 1827.)

PASSED ON THE 7TH SEPTEMBER 1831.

Providing Rules for the Punishment of Patels of Villages in case of their falsifying Revenue Records.

REGULATION XVII, A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

For the Territories Subordinate to Bombay, prescribing Rules for the Assessment and realization of the Land Revenue, defining the relative rights in the Land and its Produce, of the Government and the Subject, of the Superior Holder and the Tenant, vesting the Collector with Judicial Powers in cases regarding Land and its Rent and Produce, and declaring the circumstances under which exemption from the payment of Land Revenue is to be enjoyed.

Chapter I. commencing with Section I.	Rules regarding Assessment concluded direct by the Revenue Officers of Government, and descriptive of the relative rights of Government, and the Occupant of Land.	
Chapter II. commencing with Section XI.	Of precautionary measures for the Security of the Land Revenue.	
Chapter III. commencing with Section XII.	Of realization of the Revenue by Distraint of the Person and Property of the Defaulter.	
Chapter IV. commencing with Section XV.	Rules for the Security of the Ryot by means of the regularity and publicity of Village Accounts, Penalties attached to Undue Exactions, and Penal Jurisdictions of the Zilla Magistrate and Criminal Judge in such cases.	
Chapter V. commencing with Section XVII.	Of the responsibility and authority of Komavisdars and Heads of Villages for the realization of the Revenue.	
Chapter VI. commencing with Section XX.	Of Farmers and of their Power and Responsibility.	

Chapter VII. commencing with Section XXIX.	Of the Powers and Responsibility of Superior Holders of Land, in respect to the realization of the Rent of their Lands, and to the payment of Revenue due therefrom.	
Chapter VIII. commencing with Section XXXI.	Of the Civil Jurisdiction of the Collector in the Adjustment of the respective Rights of Parties, in cases which relate to Land and its Rent and Produce.	Section XXXIV. rescinded by Section IV. Regulation VI. A. D. 1830.
Chapter IX. commencing with Section XXXV.	Of Titles to Exemption from the payment of Land Revenue.	Clause 2nd Section XXXV. partly rescinded by Section I. Regulation X. A. D. 1831.
Chapter X. commencing with Section XL.	Rules for Examining and Deciding upon Claims to Exemption from the payment of Land Revenue, and for Discontinuing such Exemptions, when not duly established.	

REGULATION XXXIV. A. D. 1827.

(SUPPLEMENT 1ST TO REGULATION XVII. A. D. 1827.)

PASSED ON THE 24TH SEPTEMBER 1827.

For vesting the Nawab of Surat with more Extensive Powers in compelling Payment of his Dues from his Tenants and Cultivators.

REGULATION VI. A. D. 1828.

(SUPPLEMENT 2ND TO REGULATION XVII. A. D. 1827.)

PASSED ON THE 18TH JUNE 1828.

For extending, in the same manner as in Suits before the Courts of Civil Judicature, Stamps to Suits cognizable by Collectors under the operation of Chapter VII. Regulation XVII. of 1827, or any other now in Force.

REGULATION VI. A. D. 1830.

(SUPPLEMENT 3RD TO REGULATION XVII. A. D. 1827.)

PASSED ON THE 27TH JANUARY 1830.

Authorizing the Collector to refer Suits cognizable by him under Chapter VIII. Regulation XVII. of 1827, to Komavisdars, and altering the Rules in respect of Appeals in such Suits.

REGULATION X. A. D. 1831.

(SUPPLEMENT 4TH TO REGULATION XVII. A. D 1827.)

PASSED ON THE 29TH JUNE 1831.

Providing for the recognition of the Vechania and Gerania Tenures as sufficient title for the Exemption of Lands from the payment of Revenue, in modification of Cluase 2nd Section XXXV. Regulation XVII. A. D. 1827.

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REGULATION II. A. D. 1832.

(SUPPLEMENT 5TH TO REGULATION XVII. A. D. 1827.)

PASSED ON THE 13TH JUNE 1832.

Providing for the realization of certain Items of Revenue from Farmers thereof.

REGULATION XVIII. A. D. 1827,

PASSED ON THE 1ST JANUARY 1827.

For levying a Stamp Duty on certain Papers within the Territories subordinate to the Presidency of Bombay.

Chapter I. commencing with Section I.	Of Stamps, Rules for the Supply and Vend of them, and Punishments assigned to Illegal Sales and Purchases.	Section VII. rescinded by Regulation XIV. A. D. 1831.
Chapter II. commencing with Section X.	Of Stamps required to be used by Individuals in their Transactions with each other.	
Chapter III. commencing with Section XV.	Of Stamps required to be used in Law Proceedings, and for the anthentication of certain Public Documents and Papers.	Clause I. of Sections XV. and XVIII. partly rescinded by Clause I. Section I. Regulation III. A. D. 1828. Section XX. rescinded by Reg. III. A. D. 1831.

REGULATION III. A. D. 1828.

(SUPPLEMENT 1ST TO REGULATION XVIII. A. D. 1827.)

PASSED ON THE 21st MAY 1828.

For subjecting to the Stamp Duty certain Plaints and other Papers, exempted therefrom under Regulation XVIII. of 1827.

REGULATION VIII. A. D. 1830.

(SUPPLEMENT 2ND TO REGULATION XVIII. A. D. 1827.)

PASSED ON THE 17TH MARCH 1830.

For changing the Counter-Stamp to be impressed on Stamped Paper, and other Material.

REGULATION III. A. D. 1831.

(SUPPLEMENT 3RD TO REGULATION XVIII. A. D. 1827.)

PASSED ON THE 26TH JANUARY 1831.

For subjecting to the Stamp Duty, Copies of Decrees passed by Native Commissioners, exempted therefrom under Regulation XVIII. of 1827.

REGULATION XIV. A. D. 1831.

(SUPPLEMENT 4TH TO REGULATION XVIII. OF 1827.)

PASSED ON THE 24TH AUGUST 1831.

For Rescinding that part of Section VII. Regulation XVIII. of 1827, which requires all Stamped Paper to be Endorsed with the Official Signature of some Person belonging to the Office of Superintendent of Stamps, and prescribing how that Duty shall henceforth be performed.

REGULATION XIX. A. D. 1827.

PASSED ON THE 1st JANUARY 1827.

For the Presidency, prescribing, Rules for the Assessment and Collection of the Land Revenue; and for collecting Taxes on Shops and Stalls; on beating the Battakee or making Proclamation by the Crier, on Country Music, on Wedding Sheds, and places of Public Amusement; on Houses, on Carriages and on Horses; for causing individuals who may Sell or Transfer Houses or Tenements subject to Quit or Ground Rent, to give Notice of the same to the Collector, and also for levying Fees in the Petty Sessions, and Police Offices.

Chapter I. commencing with Section I.	Rules for the Assessment and Collection of the Land Revenue, and Trial of Revenue Suits at the Presidency.	
Chapter II. commencing with Section IX.	Rules for the Collection of the Tax called "Market Fees" on Shops and Stalls, on beating the Battakee, on Country Music, and on the Erection of Wedding Sheds, and other places of Public Amusement.	
Chapter III. commencing with Section XVII.	Rules for levying a Tax on Houses on the Island of Bombay, situated beyond the Limits of the Town of Bombay, and on the Island of Colaba.	
Chapter IV. commencing with Section XXIV.	Rules for levying a Tax on Carriages and Riding Horses, on the Island of Bombay.	Clause 1st, Section XXIV. recinded by Sec. I. Reg. XXXII. A. D. 1827.
Chapter V. commencing with Section XXIX.	Rules for giving Notice to the Collector of Bombay of the Transfer of the possession of Lands, Houses, or Tenements, subject to Quit or Ground Rents.	
Chapter VI. commencing with Section XXX.	Rules for levying Fees in the Court of Petty Sessions, and in the Offices of the Magistrates of Police.	

REGULATION XXXII. A. D. 1827.

(SUPPLEMENT 1ST TO REGULATION XIX. A. D. 1827.

PASSED ON THE 3RD SEPTEMBER 1827.

For increasing the Taxes on Carriages and Horses at the Presidency, made with the Sanction of the Court of Directors of the United Company of Merchants of England Trading to the East Indies, and with the approbation of the Board of Commissioners for the Affairs of India.

REGULATION XX. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

For the Collection of Customs and Duties by Sea and Land, including Rules for the Control to be exercised by the Officers of the Marine and Sea Custom Departments, over Coasting Vessels and Smaller Craft.

Chapter I. commencing with Section I.	Existing enactments temporarily maintained in force, in some points with reference to the Presidency and Guzerat, and in others with reference to the Presidency alone, and in others extended to Guzerat and the Konkans.	Clause 1st partly rescinded by Section II. Regulation II. A. D. 1831.
Chapter II. commencing with Section IV.	Of establishments for collecting Sea Customs in the Territories subordinate to Bombay and of their Internal Management.	
Chapter III. commencing with Section XI.	Rules regarding Corrupt Breach of Duty by Native Officers in the Department of Sea Customs at subordinates.	
Chapter IV. commencing with Section XII.	Rules to be observed on the arrival of Vessels, and for landing and transhipping Goods at the Ports of Guzerat and the Konkans.	
Chapter V. commencing with Section XX.	Of the Registering and Marking of Vessels in Guzerat and the Konkans; of Passes and of the Departure of Vessels from the Ports of the said Provinces.	
Chapter VI. commencing with Section XXVI.	Of Sea Customs on Imports and Exports at the Ports of the Konkans.	
Chapter VII. commencing with Section XXIX.	Exemptions in favor of His Majesty's Navy and regarding certain Public Stores, to be observed at the Ports of Guzerat and the Konkans.	
Chapter VIII. commencing with Section XXX.	Of the Collections of Inland Duties.	
Chapter IX. commencing with Section XXXI.	Rules for the Sea Customs Department for conducting Confiscations, and levying Penalties incurred under this Regulation.	

REGULATION II. A. D. 1831.

(SUPPLEMENT 1ST TO REGULATION XX. A. D. 1827.)

PASSED ON THE 26TH JANUARY 1831.

For Modifying and Rescinding certain Provisions of Regulation XX. of 1827, *in as far as respects the Articles of Salt and Saltpetre.*

REGULATION XIII. A. D. 1831.

(SUPPLEMENT 2ND TO REGULATIONS XVI. AND XX. A. D. 1827.)

PASSED ON THE 17TH AUGUST 1831.

Modifying the Provisions of Section II. Regulation XVI. with respect to the Collection of Inland Duties and Customs, and also the Provisions of Regulation XX. of 1827 with respect to Sea Customs, and providing for the realization of these Revenues by other Covenanted Servants, than those specified in the abovementiond Regulations, or by Farming the same when deemed expedient.

REGULATION XXI. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

For collecting Customs on Opium and other Specified Articles and imposing restrictions on the Trade therein, made with the sanction of the Court of Directors of the the United Company of Merchants of England Trading to the East Indies, and with the approbation of the Board of Commissioners for the Affairs of India.

Chapter I. commencing with Section I.	Duties to be levied, except under certain circumstances, on Opium imported at the Presidency of Bombay or in the Territories Subordinate thereto.	Sections I. and II. partly rescinded by Section I. Reg. XX. A. D 1830.
Chapter II. commencing wth Section III.	Penalties for Smuggling Opium, and and for abetting and concealing the said Smuggling. Modes of enforcing those Penalties and Rewards to Informers.	
Chapter III. commencing with Section VIII.	Of the supply of Opium for internal consumption and of its passage from place to place.	
Chapter IV. commencing with Section X.	Rules for the Retail of Opium and Penalties for Breach of the same.	
Chapter V. commencing with Section XVII.	Places at the Presidency of Bombay, where Tobacco and Snuff, not being of British Manufacture, and Ganza, are allowed to be Imported, and prohibition against their being Imported elsewhere at the said Presidency. Forms to be observed on their Importation and Duties to be levied.	
Chapter VI. commencing with Section XX.	Rules under which Tobacco and Snuff not being of British Manufacture and Ganza which have been Imported into the Island of Bombay shall be deposited in, and delivered out of the Custom House Warehouse, and for Sale of the said Articles at the Presidency.	

Chapter VII. commencing with Section XXXII.	Rules for the Exportation, from the Presidency, of Tobacco and Snuff not being of British Manufacture, and Ganza; and Draw Back allowed on the same.	
Chapter VIII. commencing with Section XXXIV.	Penalties for Smuggling Tobacco or Snuff not being British Manufacture or Ganza at the Presidency of Bombay, and for abetting or concealing the same and for Breach of the Rules established for the Retail Trade in the same. Mode of enforcing the said Penalties, and Rewards to Informers.	
Chapter IX. commencing with Section XLIV.	Restrictive Rules for the Retail Sale of Poisonous Substances within the Zillas subordinate to the Presidency of Bombay.	
Chapter X. commencing with Section XLVI.	Rules regarding the Importation of Liquors at Bombay and Duties to be levied thereon.	
Chapter XI. commencing with Section LIV.	Rules under which Spirituous Liquors are allowed to be Manufactured at Stations subordinate to the Presidency of Bombay, and Duties to be levied thereon.	
Chapter XII. commencing with Section LXI.	Rules under which Spirituous Liquors of Country Manufacture are allowed to be Sold at Stations subordinate to the Presidency of Bombay and Duty to be levied thereon.	
Chapter XIII. commencing with Section LXVII.	Penalties for Breach of the Rules contained in Chapters XI. and XII. Mode of enforcing them and Rewards to Informers.	

REGULATION XXXIII. A. D. 1827.

(SUPPLEMENT 1ST TO REGULATION XXI. A. D. 1827.)

PASSED ON THE 3RD SEPTEMBER 1827.

For Modifying the Provisions in force regarding the Duty levied and Draw Back allowed on Tobacco Imported into, or Exported from the Presidency of Bombay or the Zillas Subordinate thereto, and the amount of Duty leviable on spirits Manufactured or Imported within the said Presidency or Zillas, made with the Sanction of the Court of Directors of the United Company of Merchants of England Trading to the East Indies and with the approbation of the Board of Commissioners for the Affairs of India.

REGULATION XV. A. D. 1828.

(SUPPLEMENT. 2ND TO REGULATION XXI. A. D. 1827.)

PASSED ON THE 10TH SEPTEMBER 1828.

For Modifying the Provisions in force regarding the Duty levied on Tobacco Imported into or Exported from the Zillas Subordinate to the Presidency of Bombay.

REGULATION XX. A. D. 1830.

(SUPPLEMENT 3RD TO REGULATION XXI. A. D. 1827.

PASSED ON THE 17TH NOVEMBER 1830.

For Relaxing the Restrictive System in regard to the Sale and Purchase of Malwa Opium, and allowing Importation by Direct Route under Passes to be granted for a consideration.

REGULATION XXII. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

To declare and define Military Authority in its relation to the Civil Power and to the Community at Large.

Chapter I. commencing with Section I.	Of the convening and Power of Courts Martial of Military Courts having Civil and Criminal Jurisdiction, co-operation of Civil and Military Authorities for purposes of Police and Rules under which Civil Authorities are to aid Military Tribunals.
Chapter II. commencing with Section VII.	Of the Military Court of Requests, for deciding Actions for Debt and of the Jurisdiction to be exercised by Courts Martial in Criminal Offences.
Chapter III. commencing with Section XV.	Of Offences and Civil Actions relating to the Military Department, but cognizable in a Civil Court.
Chapter IV. commencing with Section XXI.	Of making the Limits of Cantonments and of the Appointments, Functions and Authority of the Superintendent of Bazar.
Chapter V. commencing with Section XXXIII.	Process by Civil Authority how to be conducted within the Limits of Cantonments.
Chapter VI. commencing with Section XXXV.	Rules for Punishment of Offences committed by Camp Followers, during a march.
Chapter VII. commencing with Section XL.	Of the aid which may be furnished by Civil Authorities to expedite the march of Military Forces and of compensation to individuals for Damage caused by the Troops on such occasions.
Chapter VIII. commencing with Section XLIV.	Of requisitions for Military aid by Civil Authorities.
Chapter IX. commencing with Section XLVIII.	Rules relating to the Sale of Spirituous Liquors at Military Stations and during a march.

REGULATION XVII. A. D. 1831.

(SUPPLEMENT 1ST TO REGULATION XXII A. D. 1827.)

PASSED ON THE 14TH SEPTEMBER 1831.

For extending the Powers of the Court of Requests under Clause 1st Section VII. Regulation XXII. A. D. 1827, when Sitting in places beyond the British Territory.

REGULATION XXIII. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

Imposing certain Restrictions on Money Transactions between Persons filling certain Civil Offices, and others, and on the employment of Individuals with whom they may have such Transactions, by the said Officers in Official Capacities; on the possession of Landed Property by Europeans and Americans; and on the general use of Uniforms and Badges.

Chapter I. commencing with Section I.	Prohibition against money transactions between certain Civil Officers and certain Natives, and against the said Civil Officers unauthorizedly employing their Native Creditors in Official Capacities.	
Chapter II. commencing with Section III.	Restrictions on the occupation of Land by Europeans or Americans.	
Chapter III. commencing with Section V.	Restrictions on the use of Uniforms and Badges.	

REGULATION XXIV. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

For Restricting the Establishment of Printing Presses and the Circulation of Printed Books and Papers.

REGULATION XXV. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

For confinement of State Prisoners and for the attachment of the Lands of Chieftains and others for reasons of State.

Chapter I. commencing with Section I.	Rules for the apprehension and Confinement of Individuals as State Prisoners.	
Chapter II. commencing with Section VII.	Rules for attachment of Lands for reasons of State and for removing such attachment.	

REGULATION XXVI. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

For the Appointment and Removal of Kazees, and for ensuring an Efficient and Regular Discharge of their Duties.

Chapter I. commencing with Section I.	Of the Appointment, Suspension and Removal of Kazees.	

Chapter II. commencing with Section V.	Of the Duties and Emoluments of Qazees.	

REGULATION XXVII. A. D. 1827.

PASSED ON THE 16TH MAY 1827.

For Abolishing the Zilla Court of Broach and attaching the Districts composing the Broach Zilla to the Zillas of Surat and Kaira.	Partly rescinded by Regulation IX. A. D. 1828. Further rescinded by Regulation X. A. D. 1828.

REGULATION I. A. D. 1828.

(SUPPLEMENT 1ST TO REGULATION XXVII. A. D. 1827.)

PASSED ON THE 17TH JANUARY 1828.

For rendering the Designation and Duties of Officers employed under Regulation XXVII. A D. 1827, in the Civil Administration of the Broach Collectorship, conformable to the Rules of the Revised Code of Regulations and declaring the Substitution of the said Code for the Regulations issued previously to the 1st January 1827.	Rescinded by Regulation IX. A. D. 1828.

REGULATION II. A. D. 1828.

(SUPPLEMENT 2ND TO REGULATION XXVII. A. D. 1827)

PASSED ON THE 17TH JANUARY 1828.

For rendering the Duties of the Officers of the Department of Criminal Justice employed under Regulation XXVII. A. D. 1827 in the Administration of the Broach Collectorship conformable to the Rules of the Revised Code of Regulations.	Rescinded by Regulation X. A. D. 1828.

REGULATION IX. A. D. 1828.

(SUPPLEMENT 3RD TO REGULATION XXVII A. D. 1827.)

PASSED ON THE 20TH AUGUST 1828.

For rescinding Regulation I. A. D 1828 (Supplement 1st to Regulation XXVII. A. D 1827,) as well as so much of the latter as relates to Civil Jurisdiction.

REGULATION X. A. D. 1828.

(SUPPLEMENT 4TH TO REGULATION XXVII. A. D. 1827.)

PASSED ON THE 20TH AUGUST 1828.

For rescinding Regulation II. A. D. 1828, (2nd Supplement to Regulation XXVII. A. D. 1827,) as well as so much of the latter as relates to Police and Criminal Jurisdiction

REGULATION XXVIII. A. D. 1827.

PASSED ON THE 1ST AUGUST 1827.

For fixing the Date from whence certain Regulations Passed on the 1st January 1827, are to take effect.

REGULATION XXIX. A. D. 1827.

PASSED ON THE 1ST AUGUST 1827.

For bringing under the operation of the Regulations the Bombay Territories in the Deccan and Candeish.

REGULATION IV. A. D. 1828.

(SUPPLEMENT 1ST TO REGULATION XXIX. A. D. 1827.)

PASSED ON THE 1ST MAY 1828.

For bringing under the operation of the Stamp Regulations the Bombay Territories in the Deccan and Kandeish, including Sholapoor.

REGULATION V. A. D. 1828.

(SUPPLEMENT 2ND TO REGULATION XXIX. A. D. 1827.)

PASSED ON THE 21st MAY 1828.

For prescribing Rules under which the Jurisdiction of the Deputy Agent for the Adjusting of Sirdar's Claims in the Deccan in the Trial of Suits against Sirdars shall be executed and for Defining in certain instances the Powers of the Agent to Hear and Determine Appeals from his Deputy.

REGULATION XVIII. A. D. 1830.

(SUPPLEMENT 4TH TO REGULATION XXIX. A. D. 1827.)

PASSED ON THE 3RD NOVEMBER 1830.

For providing for the Appointment of a Joint Judge within the Zilla of Poona.

REGULATION I. A. D. 1831.

(SUPPLEMENT 5TH TO REGULATION XXIX. A. D. 1827.)

PASSED ON THE 5TH JANUARY 1831.

For extending the Jurisdiction of the Agent of Government Acting under the Provisions of Section IV. Regulation XXIX. A. D. 1827, over Suits in which Persons of Rank of the Priviledged Classes are concerned and which are now cognizable by the Collectors of Land Revenue.

REGULATION XVI. A. D. 1831.

(SUPPLEMENT 6TH TO REGULATION XXIX. A. D 1827.)

PASSED ON THE 14TH SEPTEMBER 1831.

For extending the Jurisdiction vested in the Political Agent in the Southern Maratha Country under the Provisions of Section V. Regulation VII. A. D. 1830, to the cognizance of Civil Suits of the nature specified in Regulation I. A. D. 1831, and also for the better Defining the extent of Jurisdiction therein conferred with respect to Persons of the Previleged Classes.

REGULATION XXX. A. D. 1827.

PASSED ON THE 1st AUGUST 1827.

For enacting certain Modifications of Regulations XII. XIII. XIV. and XV. A. D. 1827, with reference to the Zillas of Poona and Ahmednuggur.

Section II. Partly rescinded by Section IV. Regulation IV A. D. 1830.
Section VII. rescinded by Sec. III. and Sec. VIII. rescinded by Sec. V. Reg. VIII. A. D. 1831.

REGULATION I. A. D. 1829.

(SUPPLEMENT 1ST TO REGULATION XXX A. D. 1827.)

PASSED ON THE 15TH APRIL 1829.

For extending the Penal Jurisdiction of the Assistants to the Magistrates in the Deckan.

Rescinded by Section IV. Reg. IV. A. D. 1830.

REGULATION XIX. A. D. 1830.

(SUPPLEMENT 2ND TO REGULATION XXX. A. D. 1827.)

PASSED ON THE 3RD NOVEMBER 1830.

For Providing for the Appointment of a Joint Session Judge within the Zilla of Poona.

REGULATION XXXI. A. D. 1827.

PASSED ON THE 1ST AUGUST 1827.

For explaining the Principles on which the Revised Code of Regulations is to be effected.

REGULATION XIV. A. D. 1828.

(Revenue Branch)

PASSED ON THE 3RD SEPTEMBER 1828.

For Levying a Toll at the Sion Causeway.

REGULATION II. A. D. 1829.

(Military Branch.)

PASSED ON THE 19TH AUGUST 1829.

For Establishing Rules and Articles for the better Government of the Native Officers and Sepoys in the Service of the United Company of Merchants Trading to the East Indies, under the Presidency of Bombay.

REGULATION V. A. D. 1830.

(Revenue Branch.)

PASSED ON THE 27ST JANUARY 1830.

For Providing for the Appointment of a Revenue Commissioner to have Superintendance over the Revenue Administration of the Territories Subordinate to Bombay and for the Appointment in certain Zillas, when thought expedient, of Principal Collectors with Sub-Collectors.

REGULATION VII. A. D. 1830.

PASSED ON THE 17TH MARCH 1830.

For bringing under the operation of the Regulations the Territories comprised in the Southern Maratha Country belonging to the Hon'ble Company, and forming the said Territories into a Zilla.

REGULATION IX. A. D. 1830.

(Revenue Branch)

PASSED ON THE 17TH MARCH 1830.

For establishing and levying a Toll on the Road up the Bore Ghaut.

REGULATION XI. A. D. 1831.

(SUPPLEMENT 1ST TO REGULATION IX. A. D. 1830.)

PASSED ON THE 29TH JUNE 1831.

For establishing and levying a Toll on certain descriptions of Carriages on the Road up the Bore Ghaut, and for fixing the Currency in which the Toll is to be levied.

REGULATION. XI. A. D. 1830.

(Miscellaneous Branch.)

PASSED ON THE 17TH MARCH 1830.

For suppressing Private Dawks and declairing them Illegal within the Territories Subordinate to the Presidency of Bombay.

REGULATION XIII. A. D. 1830.

PASSED ON THE 31ST MARCH 1830.

For investing certain Jagheerdars Surinjamedars and Enamdars with the Power of deciding Suits within the Boundaries of their respective Estates.

REGULATION XIV. A. D. 1830.

PASSED ON THE 31ST MARCH 1830.

For bringing under the operation of the Regulations such portions of the Bombay Territory on the Mahabuleshwur Hills as has been Ceded to the Hon'ble Company by His Highness the Rajah of Sattara.

REGULATION XV. A. D. 1830.

PASSED ON THE 31ST MARCH 1830.

For rescinding and re-enacting with modifications the Provisions contained in Regulation VII. A. D. 1818, for regulating the Trade of Foreign Nations with the Ports and Settlements of the British Nation in the East Indies.

REGULATION XVII. A. D. 1830.

PASSED ON THE 15TH SEPTEMBER 1830.

For Abolishing certain Town Duties at Surat and Imposing in Lieu thereof Duties upon Silk, Rice, Betelnut, and Pepper.

REGULATION VI. A. D. 1831.

PASSED ON THE 29TH JUNE 1831.

For Raising at the Ports within the Limits of the Gulf of Cambay, Funds for the Support of a Light House upon the Island of Peerum within that Gulf.

REGULATION XII. A. D. 1831.

PASSED ON THE 6TH JULY 1831.

For Providing Funds for the Repairs of the City Walls at Ahmedabad.

REGULATION I. A. D. 1832.

(Revenue Branch.)

PASSED ON THE 16TH MAY 1832.

For Equalizing the Tax on Salt Imported at Malwan and Vingorla in the Konkan Zillas, with other places of Import in their Vicinity.

SKETCH

OF THE

FIRST TWENTY SIX (26)

BOMBAY REGULATIONS

OF 1827.

	NUMBER OF THE REGULATION.	SUBJECT.
Preliminary Regulation	I	Principles of the Code.
Branch of Civil Judicature.	II	Constitution of Courts of Civil Justice.
	III	Certain official rules for Courts of Civil Justice.
	IV	Civil Procedure.
	V	Limitations on civil actions, provisions regarding interest, and other rules for judication.
	VI	The pleading of paupers.
	VII	Arbitration.
	VIII	Interference of the Civil Court in regard to the estates of persons deceased.
	IX	The registry of documents affecting right in property.
	X	Boundary disputes.
Branch of Criminal Judicature.	XI	Criminal Jurisdiction.
	XII	Police.
	XIII	Criminal Justice.
	XIV	Crimes and punishments.
	XV	Employment of landholders as police authorities.
Revenue Branch.	XVI	Appointment and duties of the Collector and subordinate Land Revenue Officers.
	XVII	Revenue management of the territories subordinate to Bombay, and Civil Jurisdiction of the Collector.
	XVIII	Stamps.
	XIX	Revenue management of the Presidency.
	XX	Sea and Land Customs in general.
	XXI	Duties and excise restrictions on certain specified articles.
Military Branch.	XXII	Military Authority in connexion w[illegible] Power.
Miscellaneous Branch.	XXIII	Restrictions on the money transac[illegible] in office, on the acquisition o[illegible] and the use of badges and u[illegible]
	XXIV	Restrictions on the Press and o[illegible] printed works.
	XXV	State prisoners.
	XXVI	Kazees.

TITLES

OF THE

FIRST TWENTY SIX REGULATIONS,

PASSED IN THE YEAR 1827.

I.

A REGULATION for forming into a regular Code all rules that may be enacted for the internal Government of the Territories subordinate to the Presidency of Bombay.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of four (4) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	Rescission of former Regulations.....	I.
II.	Forms of framing and publishing Regulations.	II.
III.	Application and effect of Regulations.	VI.
IV.	Rules for suspending the force of Regulations and resorting to Martial Law, in cases of necessity.	VIII.

II.

A REGULATION for defining the constitution of Courts of Civil Justice, and the powers and duties of the Judges and officers

officers thereof.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of six (6) Chapters, as below:

NUMBER OF CHAPTER.	TITLE	COMMENCING SECTION
I.	Of the Supreme Court or Suddur Adawlut	I.
II.	Of Zilla Courts, inclusive of the Subsidiary Courts of the Assistant Judges.	XVI.
III.	Of the appointment, removal and punishment of Officers of Courts	XXXIV.
IV.	Of Courts of Commissioners for deciding Civil Suits ..	XXXVII.
V.	Of Courts for the recovery of debts due by British subjects	XLVI.
VI.	Of Pleaders	XLVII.

III.

A REGULATION containing Provisions as to the official proceedings in general of Courts of Civil Justice, their sittings, the mode of communicating with them, the mode of keeping the minutes of their proceedings, the sealing, signing and language of process, and the grant of copies of papers on their Records.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of four (4) Chapters, as below:

NUMBER OF CHAPTER.	TITLE,	COMMENCING SECTION
I.	Of the sittings of Courts of Civil Justice and the mode of communicating with them	I.
II.	Of the minutes of proceedings.	IV.
III.	Of the sealing, signing and language of process	IX.
IV.	Of granting copies of papers.	XII.

IV.

A REGULATION prescribing the forms of proceeding of the Courts of Law in Civil Suits and Appeals, and Rules for the trial of the same.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood

Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of twenty three (23) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	Preliminary explanations of the effect of certain terms when used in this Regulation.	I.
II.	Of the mode of instituting suits	II.
III.	Of process for summoning and arresting defendan's, and for sequestrating their property.	V.
IV.	Of the continuation and completion of the pleadings. ..	XII.
V.	Of withdrawing suits.	XVIII.
VI.	Of fixing the time of trial, of defaults, of trial, and of the law to be followed.	XIX.
VII.	Of exhibits.	XXIX.
VIII.	Of commissions for ascertaining facts depending upon local circumstances.	XXXI.
IX.	Of witnesses.	XXXII.
X.	Of notice to be given to coheirs interested in suits which have been instituted without their participation.	XLVI.
XI.	Of contempts.	XLVIII.
XII.	Of costs.	LVII.
XIII	Of enforcing security bonds taken in suits.	LIX.
XIV.	Of the decree and its enforcement.	LX.
XV.	Of the revision of original decrees	LXXI.
XVI.	Of the admission, and rejection of Appeals.	LXXII.
XVII.	Of staying and executing decrees under appeal.	LXXXI.
XVIII.	Of procedure and trial in appeal.	LXXXIII.
XIX.	Of the decree in appeal.	XCIV.
XX.	Of the revision of decrees passed in appeal.	XCVI.
XXI.	Of applications to the Suddur Dewannee Adawlut in incidental complaints.	XCVII.
XXII.	Of Special Appeals.	XCIX.
XXIII.	Of Appeals to the King in Council.	C.

V.

A REGULATION defining the limitations, as to time, within which Civil Actions may be prosecuted, and containing rules of judication respecting written acknowledgments of debts executed without receipt of a full consideration, also regarding interest, the tendering payment of debts, and the disposal of property mortgaged or pledged.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of five (5) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	Of limitations of time for prosecuting Civil Actions.	I.
II.	Of acknowledgment of debts executed without receipt of a full consideration in value.	IX.
III.	Of the rate of interest and the period during which it may continue.	X
IV.	How a claim to interest is affected by tender of payment. ..	XIV.
V.	Of the disposal of property mortgaged or pledged. . ..	XV.

VI.

A REGULATION for admitting persons to sue or defend in suits or Appeals *in formâ pauperis*.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

VII.

A REGULATION to facilitate the amicable adjustment of disputes of a Civil nature by means of Arbitrators (a Punchaet).—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vîkramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of three (3) Chapters, as below :

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	Of the appointment of Arbitrators for adjusting disputes of a Civil nature.	I.
II.	Of the proceedings of Arbitrators.	IV.
III.	Of making, executing, and appealing from awards. ...	VIII.

VIII.

A REGULATION to provide for the formal recognition of Heirs, Executors, and Administrators, and for the appointment of Administrators and Managers of property by the Courts.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of two (2) Chapters, as below :

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	Rules for the recognitions of Heirs, Executors and Administrators, when there is a competent claimant.	I.
II.	Of the appointment of an Administrator by the Zilla Court, when there is no Heir, or Executor, competent and willing to be placed in possession.	IX.

IX.

A REGULATION for establishing a Register of title deeds,

and

and General Register of deeds, obligations, and other writings, in each zilla subordinate to the Presidency of Bombay.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of three (3) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	Of the form and nature of the Register of title deeds, and the General Register respectively, and of the mode of registering documents.	I.
II.	Of the effect of registration in the Register of title deeds, and special provisions in favour of ancient documents, and of the grant of copies of registered deeds.	VI.
III.	Of the effect of registration in the General Register.	IX.

X.

A REGULATION for trying and deciding disputes regarding the boundaries of villages, by means of a Special Commission,—PASSED by the Governor in Council on the 1st January 1827, corresponding wth the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of three (3) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	Of constituting a Commission for the trial of disputes regarding boundaries and of appointing its members.	I.
II.	Of the proceedings of the Commission.	IV.
III.	Of executing and appealing from the Judgments of the Commission.	XIII.

XI.

A REGULATION for defining the persons subject to the operation of the Regulations on Criminal Judicature, under what circumstances foreigners may be given up to the Government to which they belong, and under what circumstances Government may exercise a control over the residence and persons of emigrants and their descendants.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikra-

majeet

ramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of three (3) Chapters, as below :

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	Of persons subject to the operation of the Regulations on Criminal Judicature, and of the circumstances under which they are respectively subject to that operation.	I.
II.	Of refugees from foreign countries, both natives of India and others, charged with having committed crimes or offences before they quitted those countries.	V.
III.	Of rules applicable to emigrants and the descendants of emigrants in general.	VIII.

XII.

A REGULATION for the establishment of a system of police throughout the zillas subordinate to Bombay, for providing rules for its administration, and for defining the duties and powers of all police authorities and servants.—PASSED by the Governor in Council on the 1st January 1827, corresponding with 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of six (6) Chapters, as below :

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	Establishments for the administration of Police. .. .	I.
II.	Of the ordinary duties of the Zilla Magistrate ; comprising,	
	Rules for the seizure and disposal of offenders and stolen articles :	
	Punishments which the Magistrate is authorized to adjudge, with the mode of conducting and recording trials, and procedure :	
	Communication to be made between Magistrates for purposes of co-operation :	
	The duty and authority of the Magistrate to protect the community, and institute and enforce miscellaneous rules for its benefit and comfort, and for the prevention of vice and crime :	
	The official connexion of duties between the Magistrate and the Court of Zuddur Foujdaree Adawlut, as well as the Court of Circuit :	
	Superintendence of subordinate Police Officers :	
	Punishment for contempt of the Magistrate's authority.	IX.
III.	Of precautionary measures for preserving the peace and preventing crime, comprising,	
	Recognizance and security :	
	Expulsion :	
	Dispersing unlawful meetings :	
	Seizure of unlawful implements.	XXIV.
IV.	Of extraordinary measures conducive to the apprehension and punishment of offenders, comprising,	
	Aid, Civil and Military :	
	Rewards :	
	Responsibility of villages and their police establishments for robberies :	
	Attachment of the property of fugitives :	
	Banishment of outlaws.	XXXI.
V.	Of the duty of district police officers.	XL.
VI.	Of the duties of the village police officer or head of a village, and of village police.	XLVIII.

XIII.

A REGULATION for defining the constitution of Courts of Criminal Justice, and the functions and proceedings thereof. —PASSED by the Governor in Council on the 1st of January 1827, corresponding with the 4th Poush Sood Sumbût or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of seven (7) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION.
I.	Functions of Criminal Justice, and establishment of Courts for its administration,	I.
II.	Of the duties of the Criminal Judge.	XII.
III.	Of the functions of the Court of Circuit, and duties of the Criminal Judge as connected therewith	XVI.
IV.	Of the duties of the Special Court	XXIV.
V.	Of the duties of the Court of Suddur Foujdaree Adawlut.	XXVII.
VI.	Rules for procuring, taking, and recording evidence, and for the conduct of trials by Criminal Courts.	XXXIV.
VII.	Of the Jail, and of the custody and treatment of prisoners.	XLII.

XIV.

A REGULATION for defining crimes and offences and specifying the punishments to be inflicted for the same.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of six (6) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION.
I.	A general description of the acts which are to be considered criminal, with reference to the mode in which each is punishable.	I.
II.	Of punishments and the mode of their execution.	III.
III.	Of offences against the state in its domestic and foreign relations, and the punishments to which they are liable; comprising, *Treason*: *Rebellion*: *Unlawful attempt to alter the established laws*: *Disturbing the peace of foreign states*.	XII.
IV.	Of offences against morality or the community at large, and the punishments to which they are liable; comprising, *Perjury*: *Forgery*: *Coining*: *Issuing base coin*: *Selling poisons*:	

Disguising

NUMBER OF CHAPTER	TITLE.	COMMENCING SECTION.
V.	*Disguising the appearance of valuable articles:* *Fraudulent use of weights or measures:* *Fraudulently describing articles offered for sale:* *Violation of local police rules:* *Escape from custody:* *Resistance of legal process.* .... Of offences against the person, and the punishments to which they are liable; comprising, *Murder:* *Culpable homicide:* *Procuring abortion:* *Rape and other assaults:* *Insult and threatening:* *Illegal import, export and transfer of slaves:* *Kidnapping, detention and forced service:* *Denunciations by means of* TRAGA, DHURNA, JHANSA, &c. .	XVI. XXVI.
VI.	Of offences against property, and the punishments to which they are liable; comprising, *Gang robbery:* *Robbery:* *Theft:* *Breach of trust:* *Receiving stolen goods:* *Destroying property.*	XXXVI.

XV.

A REGULATION containing rules under which landholders may be invested with police authority within their respective lands, or other convenient limits, and deprived of the same, and declaring the mode of procedure to be followed in regard to them in criminal matters.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of two (2) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION.
I.	Of the appointment of landholders to the police jurisdiction within their lands, or other convenient limits, and of the extent and nature of the authority conferred upon them, and mode in which it may be withdrawn.	I.
II.	Of the mode of procedure to be followed in criminal matters in regard to landholders invested with police authority under this Regulation.	XIV.

XVI.

A REGULATION defining the duties of the Collector, and his power in regard to subordinate Revenue Officers, and providing rules for the guidance of Land Revenue Officers in general

general throughout the territories subordinate to Bombay.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of three (3) Chapters, as below:

NUMBER OF CHAPTER	TITLE.	COMMENCING SECTION.
I.	Of the appointment and duties of the Collector and his Assistants.	I.
II.	Of native Collectors of districts, and other native officers on the regular establishment of the Collector.	IX.
III.	Of hereditary district and village officers, inclusive of village accountants	XVII.

XVII.

A REGULATION for the territories subordinate to Bombay, prescribing rules for the assessment and realization of the land revenue, defining the relative rights, in the land and its produce, of the Government and the subject, of the superior holder and the tenant; vesting the Collector with judicial powers in cases regarding land and its rent and produce, and declaring the circumstances under which exemption from the payment of land revenue is to be enjoyed.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of ten (10) Chapters, as below:

NUMBER OF CHAPTER	TITLE.	COMMENCING SECTION.
I.	Rules regarding assessment concluded direct by the revenue officers of Government, and descriptive of the relative rights of Government and the occupant of land.	I.
II.	Of precautionary measures for the security of the land revenue.	XI.
III.	Of the realization of the revenue by distraint of the person and property of the defaulter.	XII.
IV.	Rules for the security of the ryot by means of the regularity and publicity of village accounts, penalties attached to undue exactions and penal jurisdictions of the Zilla Magistrate and Criminal Judge in such cases.	XV.
V.	Of the responsibility and authority of Komavisdars and heads of villages for the realization of the revenue.	XVII.

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
VI.	Of farmers, and of their power and responsibility	XX.
VII.	Of the powers and responsibility of superior holders of land, in respect to the realization of the rent of their lands and to the payment of revenue due therefrom.	XXIX.
VIII.	Of the Civil Jurisdiction of the Collector in the adjustment of the respective rights of parties in cases which relate to land and its rent and produce.	XXXI.
IX.	Of titles to exemption from the payment of land revenue.	XXXV.
X.	Rules for examining and deciding upon claims to exemption from the payment of land revenue, and for discontinuing such exemptions when not duly established	XL.

XVIII.

A REGULATION for levying a stamp duty on certain papers within the territories subordinate to the Presidency of Bombay.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of three (3) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION.
I.	Of stamps, rules for the supply and vend of them, and punishments assigned to illegal sales and purchases, ...	I.
II.	Of stamps required to be used by individuals in their transactions with each other.	X.
III.	Of stamps required to be used in law proceedings, and for the authentication of certain public documents and papers.	XV.

XIX.

A REGULATION for the Presidency, prescribing rules for the assessment and collection of the land revenue; and for collecting taxes on shops and stalls, on beating the Battakee or making proclamation by the crier, on country music, on wedding sheds and places of public amusement, on houses, on carriages and on horses; for causing individuals who may sell or transfer houses or tenements subject to quit or ground rent to give notice of the same to the Collector; and also for levying fees in the Court of Petty Sessions, and Police Offices.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut

or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of six (6) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION.
I.	Rules for the assessment and collection of the land revenue and trial of revenue suits at the Presidency.	I.
II.	Rules for the collection of the tax called "MARKET FEES" on shops and stalls, on beating the Battakee, on country music, and on the erection of wedding sheds and other places of public amusement.	IX.
III.	Rules for levying a tax on houses on the Island of Bombay, situated beyond the limits of the Town of Bombay, and on the Island of Colaba.	XVII.
IV.	Rules for levying a tax on carriages and riding horses, on the Island of Bombay:	XXIV.
V.	Rules for giving notice to the Collector of Bombay of the transfer of the possession of lands, houses or tenements subject to quit or ground rents.	XXIX.
VI.	Rules for levying fees in the Court of Petty Sessions, and in the Offices of the Magistrates of Police.	XXX.

XX.

A REGULATION for the collection of customs and duties by sea and land, including rules for the control to be exercised by the Officers of the Marine and Sea Custom Department over coasting vessels and smaller craft.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of nine (9) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION.
I.	Existing enactments temporarily maintained in force, in some points with reference to the Presidency and Guzerat, and in others with reference to the Presidency alone, and in others extended to Guzerat and the Konkans.	I.
II.	Of establishments for collecting Sea Customs in the territories subordinate to Bombay, and of their internal management.	IV.
III.	Rules regarding corrupt breach of duty by native officers in the department of Sea Customs at subordinates.	XI.
IV.	Rules to be observed on the arrival of vessels, and for landing and transhipping goods, at the ports of Guzerat and the Konkans, ...	XII.
V.	Of the registering and marking of vessels in Guzerat and the Konkans; of passes, and of the departure of vessels from the ports of the said provinces	XX.
VI.	Of Sea Customs on imports and exports at the ports of the Konkans	XXVI.
VII.	Exemptions in favour of His Majesty's Navy, and regarding certain public stores, to be observed at the ports of Guzerat and the Konkans.	XXIX.
VIII.	Of the collection of inland duties.	XXX.
IX.	Rules for the Sea Custom department for conducting confiscations and penalties incurred under this Regulation. ..	XXXI.

XXI.

A REGULATION for collecting customs on opium and other specified articles, and imposing restrictions on the trade therein, made with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the affairs of India.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of thirteen (13) Chapters, as below :

NUMBER OF CHAPTER	TITLE.	COMMENCING SECTION.
I.	Duties to be levied, except under certain circumstances, on opium imported at the Presidency of Bombay, or in the territories subordinate thereto.	I.
II.	Penalties for smuggling opium, and for abetting and concealing the said smuggling, modes of enforcing those penalties, and rewards to informers.	III.
III.	Of the supply of opium for internal consumption, and of its passage from place to place.	VIII.
IV.	Rules for the retail sale of opium, and penalties for breach of the same.	X.
V.	Places at the Presidency of Bombay where tobacco and snuff, not being of British manufacture, and ganza, are allowed to be imported, and prohibition against their being imported elsewhere at the said Presidency, forms to be observed on their importation, and duties to be levied	XVII.
VI.	Rules under which tobacco, and snuff not being of British manufacture, and ganza, which have been imported into the Island of Bombay, shall be deposited in and delivered out of the Custom House Warehouse, and for sale of the said articles at the Presidency.	XX.
VII.	Rules for the exportation from the Presidency of tobacco, and snuff not being of British manufacture, and ganza, and drawback allowed on the same.	XXXII.
VIII.	Penalties for smuggling tobacco, or snuff not being of British manufacture, or ganza, at the Presidency of Bombay and for abetting or concealing the same, and for breach of the rules established for the retail trade in the same, mode of enforcing the said penalties, and rewards to informers.	XXXIV.
IX.	Restrictive rules for the retail sale of poisonous substances within the Zillas subordinate to the Presidency of Bombay	XLIV.
X.	Rules regarding the importation of liquors at Bombay and duties to be levied thereon.	XLVI.
XI.	Rules under which spirituous liquors are allowed to be manufactured at stations subordinate to the Presidency of Bombay, and duties to be levied thereon.	LIV.
XII.	Rules under which spirituous liquors of country manufacture are allowed to be sold at stations subordinate to the Presidency of Bombay, and duty to be levied thereon. ...	LXI.
XIII.	Penalties for breach of the rules contained in Chapters XI and XII, mode of enforcing them, and rewards to informers.	LXVII.

XXII.

A REGULATION to declare and define Military Authority in its relations to the Civil Power and to the Community at large.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of nine (9) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION.
I.	Of the convening and power of Courts Martial, of Military Courts having Civil and Criminal Jurisdiction, co-operation of Civil and Military Authorities for purposes of police, and rules under which Civil Authorities are to aid Military Tribunals.	I.
II.	Of the Military Court of Requests for deciding civil actions for debt, and of the jurisdiction to be exercised by Courts-Martial in criminal offences.	VII.
III.	Of offences and civil actions relating to the Military Department, but cognizable in a civil court	XV.
IV.	Of marking the limits of cantonments, and of the appointment, functions and authority of the Superintendent of Bazars.	XXI.
V.	Process by civil authority how to be conducted within the limits of cantonments.	XXXIII.
VI.	Rules for punishment of offences committed by camp followers during a march.	XXXV.
VII.	Of the aid which may be furnished by Civil Authorities, to expedite the march of Military Forces, and of compensation to individuals for damage caused by the troops on such occasions.	XL.
VIII.	Of requisitions for Military Aid by Civil Authorities. .	XLIV.
IX.	Rules relating to the sale of spirituous liquors at Military Stations and during a march.	XLVIII.

XXIII.

A REGULATION imposing certain restrictions on money transactions between persons filling certain Civil Offices, and others, and on the employment of individuals, with whom they may have such transactions, by the said Officers in official capacities; on the possession of landed property by Europeans and Americans, and on the general use of uniforms and badges.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood

Sumbut

Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of three (3) Chapters, as below :

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION.
I.	Prohibition against money transactions between certain Civil Officers and certain Natives, and against the said Civil Officers unauthorizedly employing their native creditors in official capacities.	I.
II.	Restrictions on the occupation of land by Europeans or Americans.	III.
III.	Restrictions on the use of uniforms and badges.	V.

XXIV.

A REGULATION for restricting the establishment of printing presses and the circulation of printed books and papers. —PASSED by the Governor in Council on the 1st January 1827, corresponding with 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

XXV.

A REGULATION for the confinement of state prisoners, and for the attachment of the lands of chieftains and others for reasons of state.—PASSED by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of two (2) Chapters, as below :

NUMBER OF CHAPTER.	TITLE	COMMENCING SECTION.
I.	Rules for the apprehension and confinement of individuals as state prisoners.	I.
II.	Rules for the attachment of lands for reasons of state, and for removing such attachment.	VII.

XXVI.

A REGULATION for the appointment and removal of Kazees, and for ensuring an efficient and regular discharge of their duties.—PASSED by the Governor in Council on the

1st

1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.

Consisting of two (2) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	Of the appointment, suspension, and removal of Kazees..	I.
II.	Of the duties and emoluments of Kazees.....	V.

ERRATA.

Reg.	Sect.	Clause.	
II	XXXI	8th.	*For* " Cases" *read* " Causes."
IV	XXXV		*For* " XXX" substitute the section's proper number.
	Appendix Q,		in the heading, after the word " stayed" insert the words " or enforced."
IX	VII	4th.	In two places, for " 1807" substitute " 1817."
——	Appendix A,		at the bottom of the page, left hand corner, *for* " Register" *read* " Registry."
XI			Heading of Chapter I, before the words " the Regulations" insert the words " the operation of."
XII			In the title page, heading of Chapter VI, *for* " district officer" *read* " village police officer."
XIII	Appendix L,		No. 1, the words " and has been sentenced to" to be omitted, when the warrant is for full acquittal and immediate discharge.
XIV	XXII		*For* " of sale" *read* " for sale."
XVII	XII	9th.	*For* " prisoners" *read* " prisoner."
XXI	XLIV	2d.	*For* " preceding Section" *read* " preceding Clause."
——	XLV	1st.	After the words " Clause 1st" insert the words " of the preceding Section."
XXVI	VII		At the bottom of the page, *for* " fees be shall" *read* " fees shall be."

N. B. In addition to the above there will be found some unimportant errors in orthography and punctuation.

Preliminary Regulation.

A. D. 1827. REGULATION I.

A REGULATION *for forming into a regular Code all rules that may be enacted for the internal Government of the territories subordinate to the Presidency of Bombay.*—PASSED *by the Governor in Council on the 1st January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of four (4) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Rescission of former Regulations*.....	I.
II.	*Forms of framing and publishing Regulations*.....	II.
III.	*Application and effect of Regulations*...	VI.
IV.	*Rules for suspending the force of Regulations and resorting to Martial Law, in cases of necessity*.....	VIII.

(Preliminary Regulation.)

REGULATION I. A. D. 1827.

A REGULATION *for forming into a regular Code all rules that may be enacted for the internal Government of the Territories subordinate to the Presidency of Bombay.*—PASSED *by the Governor in Council on the 1st January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is essential to good Government, to the full and certain attainment of the advantages of experience in legislation, to public prosperity, and to the security and happiness of the subjects of the State, that the rules, by which the administration of the country is conducted, should be publicly known, it has therefore been deemed expedient, that all Regulations, which may be passed by the Government of Bombay affecting in any respect the rights, persons, or property of its subjects, and the reasons for passing the same, should be published with translations in the native languages, and formed into a regular Code, and that such Regulations should be of paramount authority on the points which they determine, to all other acts, orders, or measures of Government; and whereas, from the year 1799 to the present period, various Regulations have been passed in accordance with these views by the Governor in Council, which it has been resolved to consolidate, with such alterations as have been approved, into a more perspicuous and convenient form, the following rules have therefore been enacted, to have effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER I.

REGULATION I. A. D. 1827.

CHAPTER I.

RESCISSION OF FORMER REGULATIONS.

Former Regulations rescinded: Exceptions.

All Regulations issued prior to 1st January A. D. 1827 are rescinded, except those maintained in force for a temporary purpose by Regulation XX A. D. 1827.

CHAPTER II.

FORMS OF FRAMING AND PUBLISHING REGULATIONS.

Divisions of the Code, Branches,

SECTION II.—*Clause 1st.*—The Code shall be composed, in addition to the subject of the present Preliminary Regulation, of Branches descriptive of the principal subjects of legislation.

Regulations how to be marked, and numbered, when as Supplements,

Clause 2d.—Each Regulation shall be marked with the date of the day and year in which it was passed, and shall be numbered according to its order in the Regulations of the year; and, if it be upon the subject of any former Regulation, it shall further be described and numbered as a Supplement to such Regulation. It shall also, unless it be a Supplement to the present Regulation, bear on the commencement of it a specification of the Branch of the Code to which it belongs.

According to forms given.

Clause 3d.—Examples of the forms prescribed in the preceding clause will be found in Appendix A.

Each Regulation to have a Title and Preamble,

Clause 4th.—Each Regulation shall have a Title expressing concisely its subject, and a Preamble stating the reasons for enacting it.

and to be divided when necessary into Chapters, and composed of Sections and Clauses,

Clause 5th.—Each Regulation shall be divided, if requisite, into Chapters, and shall be composed of Sections numerically arranged, the numeration being continuous throughout the Regulation, and, when convenient, a subdivision into Clauses shall be used, which shall also be numerically arranged; Forms,

Lists

A. D. 1827. REGULATION I.

Lists and Explanations may be added in Appendixes alphabetically distinguished.

and to be furnished with Appendixes when necessary.

Clause 6th.—The subject of each Chapter shall be concisely and conspicuously stated at the commencement, and the subject of each Section and Clause shall be stated in the margin.

Each Chapter to have a title, and each Section and Clause a marginal abstract.

SECTION III.—The Court of Suddur Adawlut shall draw out and forward on the 1st February of each year to the Governor in Council for publication a List, according to the form contained in Appendix B, of the Titles of all Regulations, including the Titles of their respective Chapters, which may have been published previously to the preceding year, the number of the Section with which each Chapter commences being also specified with the Title of the Chapter: the Regulations shall be ranged in the List according to their dates and numbers in the Code, except that Supplementary Regulations shall be entered immediately after the Regulations to which they are supplementary: in a separate column opposite to the Title of each Chapter or Regulation shall be inserted any rescission that may have been made, specifying the particular part (if partial) by reference to the numbers of Chapters, Sections, or Clauses, as the case may be, and referring in the same way to the rescinding enactment, but, if a whole Regulation has been rescinded, it shall not be necessary to enumerate the Chapters or their Titles: a copious Index to the Code will also be published periodically, under the directions of Government: but neither the List nor Index shall be of any force as an enactment.

List of the Regulations, to be made,

Rescission how to be entered in the list.

An Index also to be published,

but the list and index have no force as law.

SECTION IV.—The Code shall be translated by such persons as the Governor in Council may appoint into such languages as may be required for the use of each district, and copies of the Translations shall be kept at each Zilla Court, to be inspected by any one who may desire.

Regulations how to be translated and published.

SECTION

REGULATION I. A. D. 1827.

How new codes may be proposed by public authorities, and how they may be framed and published.

SECTION V.—Public authorities holding direct communication with Government, should they deem new enactments necessary, are to submit the same (but not in the shape of a Regulation) with their reasons for recommending them to the Governor in Council through the medium of the Court of Suddur Adawlut, which in forwarding them will add such observations as it may conceive to be useful. The framing and publishing of Regulations in the prescribed mode will be conducted under the orders of the Governor in Council.

CHAPTER III.

APPLICATION AND EFFECT OF REGULATIONS.

Time and place of Regulations taking effect.

SECTION VI.—Regulations are to be in force at such places and from such periods as may be declared in a Regulation actually in force.

Regulations how to be construed:

SECTION VII.—*Clause* 1*st*.—One part of a Regulation is to be construed consistently with another, so that the whole may stand:

the interpretation of the law when in force reserved to the government for two (2) years,

Clause 2*d*.—And that the Code to be now framed may not be construed by that hitherto in use, with which the local Authorities have been long familiar, the Governor in Council reserves to himself, for a period of two (2) years after the commencement of the operation of the new code, the privilege of declaring the meaning of the law, and such meaning, declared and promulgated as Government may direct, shall be the legal interpretation:

and then vested in the Suddur Adawlut.

Clause 3*d*.—After the said period of two (2) years the interpretation of the law shall be vested in the Suddur Adawlut.

CHAPTER IV.

RULES FOR SUSPENDING THE FORCE OF REGULATIONS AND RESORTING TO MARTIAL LAW, IN CASES OF NECESSITY.

Suspension of Civil and Criminal Law.

SECTION VIII.—In case of war or rebellion, the Governor

in

A. D. 1827. REGULATION I.

in Council may, by Proclamation made in such manner as he may deem advisable, direct Civil and Criminal Law to be suspended at such places and for such period, while the war or rebellion continues, as he may think necessary for the public safety.

during which period acts of treason and rebellion may be tried by Court-martial,

SECTION IX.—During the suspension of law as above mentioned in the preceding Section, the Governor in Council may order acts of treason or rebellion against the British Government committed during such period by persons owing by birth or residence allegiance to the said Government to be tried by Court martial, and any person so tried and convicted shall be liable to the immediate punishment of death.

and punished with death:

And other crimes as Government may direct.

SECTION X.—During the suspension of law as above mentioned, the trial and punishment of crimes and offences not included in the preceding Section, and the general police of the country shall be conducted as the Governor in Council may prescribe for the occasion.

Government may at its option reserve offenders for trial in the ordinary way.

SECTION XI.—The Governor in Council may at his option, nstead of following the course authorized in the two preceding Sections, cause to be reserved for trial by the ordinary course of law when restored, any person charged with having committed any of the offences specified in the above quoted Sections, during the suspension of the ordinary law, and such person shall be amenable to such trial, in the same manner, as if the offence had been committed while the ordinary law was in force.

REGULATION I. A. D. 1827.

APPENDIX A.

No. 1.—Form of heading for a Regulation upon a new subject of legislation.

(Branch)

A. D. —— Regulation ——

No. 2.—Form of heading for a Regulation upon the subject of a former Regulation.

(*Branch)

A. D.——Regulation.——

Supplement 1. 2. 3. (or as the case may be) to Regulation ——A. D.—

APPENDIX B.

Regulation I. A. D. 18—

Passed on the ——— of ——

For forming into a regular Code all rules that may be enacted for the internal Government of the British Territories under the Government of Bombay.

Chapter I. Commencing with Section I.	Rescission of former Regulations.	
Chapter II. Commencing with Section II.	Forms of framing and publishing Regulations.	Section III. has been rescinded by Section VI Regulation V A. D.
Chapter III. Commencing with Section VI.	Application and effect of Regulations.	

Chapter IV.

* To be omitted if the Regulation be a Supplement to the Preliminary Regulation.

Chapter IV. Commencing with Section VIII.	Rules for suspending the force of Regulations in cases of necessity.	Section XI. has been rescinded by Section I Regulation III A. D.

Regulation III. A. D. 18

(Supplement 1. to Regulation I. A. D.——)

Passed on the —— of ——

To rescind Section XI. of that Regulation and substitute other rules on its subjects.

Regulation V. A. D. 18

(Supplement 2 to Regulation I. A. D.——)

Passed on the —— of ——

For altering the rules for forming Regulations and suspending the force of them.

Chapter I. Commencing with Section I.	Additional rules for framing Regulations.	
Chapter II. Commencing with Section X.	Additional rules for suspending the force of Regulations in cases of necessity.	
Regulation II. A. D. Passed on the —— of —— To establish rules for levying duties on the manufacture of salt.		This regulation has been rescinded by Section I. Regulation VIII. A. D.

(Branch of Civil Judicature.)

A. D. 1827. REGULATION II.

A REGULATION *for defining the constitution of Courts of Civil Justice, and the powers and duties of the Judges and officers thereof.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of six (6) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Of the Supreme Court or Suddur Adawlut*.....	I.
II.	*Of Zilla Courts, inclusive of the Subsidiary Courts of the Assistant Judges*.....	XVI.
III.	*Of the appointment, removal and punishment of Officers of Courts*.....	XXXIV.
IV.	*Of Courts of Commissioners for deciding Civil Suits*.....	XXXVII.
V.	*Of Courts for the recovery of debts due by British subjects*.....	XLV.
VI.	*Of Pleaders*.....	XLVII.

(Branch of Civil Judicature.)

REGULATION II. A. D. 1827.

A REGULATION *for defining the constitution of Courts of Civil Justice, and the powers and duties of the Judges and officers thereof.*—PASSED *by the Governor in Council on the 1st January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is essential to the due administration of the laws, and to the ends of good government, that the constitution of Courts of Justice, and the powers and duties of the Judges and officers thereof, should be defined and promulgated, the following rules are therefore enacted to take effect from such date as shall be prescribed in a regulation to be hereafter passed for that purpose.

CHAPTER I.

OF THE SUPREME COURT OR SUDDUR ADAWLUT.

Constitution of the Suddur Adawlut, and its civil designation.

SECTION I.—*Clause 1st.*—There shall be a Supreme Court or Suddur Adawlut, the seat of which shall on being fixed or changed be made known by proclamation issuing from Government: the said Court shall be vested with civil jurisdiction over all the territories subordinate to the presidency of Bombay, in which the Code of Regulations has operation by enactment, and shall in the exercise of such jurisdiction be denominated "*Suddur Dewannee Adawlut.*"

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The Court how composed:

SECTION II.—The Court shall consist of three or more Judges, the senior to be denominated "*Chief Judge,*" and the others "*Puisne,*" or "*Second,*" "*Third,*" "*Fourth,*" &c.

its seal:

SECTION III.—*Clause 1st.*—The Court of Suddur Dewannee Adawlut shall use a circular seal two inches and a quarter in diameter, bearing in the English, Mahratta, Guzerattee and Persian languages the following inscription "*Suddur Dewannee Adawlut of Bombay.*"

where to remain:

Clause 2d.—The seal shall remain in the custody of the Register of the Court.

oaths of the Judges.

SECTION IV.—Each Judge, previously to exercising any of the functions of his office, shall take and subscribe before the Governor in Council, or any person whom he may commission to administer it, the oath contained in Appendix A.

The Court to receive appeals and revise and rectify the proceedings of inferior tribunals:

SECTION V.—*Clause 1st.*—It shall be the duty of the Suddur Dewannee Adawlut to hear and determine appeals against decrees and orders passed in the Zilla Courts, and in certain cases to enforce the hearing of suits and complaints by such Courts, to enjoin an adherence to forms of proceeding prescribed by the Regulations when neglected or infringed, and to give such directions, with respect to forms not provided for by the Regulations, as it may deem expedient:

also to call for and regulate such proceedings:

Clause 2d.—It shall also be competent to the said Court to call for the proceedings of any subordinate Civil Court, and to issue such orders thereon as the case may require.

to remark and report misconduct of judges and their assistants:

SECTION VI.—*Clause 1st.*—It shall further be the duty of the Suddur Dewannee Adawlut to examine into, and point out and remark on, and, if necessary, report to the Governor in Council, any acts of negligence or misconduct on the part of the Zilla

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Zilla Judge or any other covenanted servant employed in a Court of civil justice:

to try cases of misconduct of native officers of court,

Clause 2d.—To investigate charges of negligence or misconduct preferred against any native officer of the Court, or to refer the charges to one or more of its members for the purpose, and, if considered advisable, to employ against such officer the powers vested in it for his suspension or dismission:

or to direct the judge on circuit to try them;

Clause 3d.—To direct the Judge on circuit to investigate all similar charges preferred against any Kazee, Commissioner for deciding civil suits, or pleader, or against any law officer; and, if the report of the Judge on circuit convince the Suddur Adawlut that the alleged offence has been committed, to report, in the case of a Kazee, the circumstances to Government, and in the case of any other of the abovementioned officers, to employ against the individual accused the power vested in it for his suspension or dismission:

the complainant having applied in vain to the zilla judge.

Clause 4th.—But, before any measures be adopted as authorized in the preceding clauses, the person preferring the complaint (if the case shall not have been received from the Zilla Judge) shall make oath, that he applied in the first instance to the Judge of the Zilla to which the offender belonged and failed to procure redress; and, if the Judge on circuit shall discover during the investigation that such application was not made, or that it was made and met with suitable attention, he shall cease from further proceedings and acquaint the Suddur Adawlut of the same.

Power of arrest in Bombay granted to the Suddur Dewanny Adawlut by act of parliament.

SECTION VII.—By the provisions of 53d Geo. III Chapter 155 Section 113, the Suddur Adawlut is vested with authority to execute all manner of lawful process of arrest within the limits of the town and island of Bombay on persons subject to its jurisdiction, provided that such process shall be in writing, and that a translation of it, or of its substance signed by one of the

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the Judges of the said Suddur Adawlut, shall be underwritten, or endorsed thereon, or annexed thereto.

The Court to forward to Government when required its own proceedings or those of other Courts:

SECTION VIII.—*Clause* 1*st.*—The Suddur Dewannee Adawlut shall on demand from the Governor in Council furnish copies of its own proceedings, or those of any subordinate Court, on any subject which may be required.

also returns:

Clause 2*d.*—The Suddur Dewannee Adawlut shall also forward to the Governor in Council such returns of suits, filed or decided, or of any other judicial matters, as may be required by the latter authority, whether the returns relate to business transacted in the Suddur Dewannee Adawlut or any Court subordinate to it.

A Court formed by three or more Judges for trying appeals in the second instance:

SECTION IX.—*Clause* 1*st.*—Three or more Judges of the Suddur Dewannee Adawlut shall constitute a Court for the trial of appeals requiring such tribunal under the provisions of Section X.

for other purposes two Judges suffice:

Clause 2*d.*—For other purposes two or more Judges shall constitute a Court: if two Judges only sit, and they concur, their act shall be the act of the Court; but if they differ, the opinion of a third Judge shall be requisite; and decision shall be according to the majority of voices.

but if they differ in opinion, a third must sit:

decision how made when the voices of four Judges are equally divided,

Clause 3*d.*—If four Judges sit and the number of voices is equal, the Senior Judge shall have the casting voice:

and when more than four Judges sit:

Clause 4*th.*—If more than four Judges sit, the decision shall be according to the majority of voices, but if the number of voices is equal, the Senior Judge shall have the casting vote:

referring judge's opinion a vote.

Clause 5*th.*—But in any matter referred to the Court by one of the Judges his recorded opinion shall be considered as a vote.

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SECTION X.—*Clause* 1*st.*—All appeals to the Suddur Dewannee Adawlut shall in the first instance be referred by the Court to one of its Judges, who shall pass judgment therein, provided such judgment confirm the decree appealed from:

Appeals tried by one Judge.

Clause 2*d.*—But if the Judge is not prepared to confirm the decree, he shall record his opinion that a full Court is required; and the suit shall thereafter be tried by a Court consisting of any three or more Judges of the Suddur Dewannee Adawlut

in what cases reserved for trial by the Court.

SECTION XI.—*Clause* 1*st.*—The Court shall have a Register and one or more Assistant Registers, who previously to entering on the duties of their offices, shall take and subscribe in open Court the oath contained in Appendix B:

Appointment and oaths of the register and his assistant.

Clause 2*d.*—The duty of the Register shall be to file all appeals, receive and mark all pleadings, exhibits, and other papers in suits, and to receive and file all papers which may be brought into Court:

The Register to file appeals and official papers:

Clause 3*d.*—The Register shall keep the minutes of the Court, shall prepare and sign all orders, precepts and all other process, issuing from the Court, and prepare decrees for the signature of the Judges:

to keep the Court's minutes, sign its processes, and prepare its decrees;

Clause 4*th.*—It shall further be his duty to take depositions out of Court when so authorized, and generally to perform all such official acts as the Court may direct:

to take depositions &c.

Clause 5*th.*—He shall also have charge of the general records.

and to keep the records.

Clause 6*th.*—The Assistant Registers shall be denominated "*First*," "*Second*," &c. as expressed by their respective orders of appointment; they will assist the Register in the performance of his duties, and the highest Assistant present will act for him in his absence.

Duties of the assistant register.

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Appointment of the Serishtadar and record-keeper:

SECTION XII.—*Clause 1st.*—There shall be placed under the orders of the Register such number as may be requisite of Serishtadars and Record-keepers:

duties of the former,

Clause 2d.—The duties of the Serishtadar shall be to take down depositions, prepare rules, orders, and other process, examine accounts, and make translations or copies of papers &c. in the different languages used in the Court:

and the latter:

Clause 3d.—The duties of the Record-keeper shall be to assist the Register in keeping and arranging the native records:

their declarations.

Clause 4th.—Previously to entering upon the duties of his office, each Serishtadar and Record-keeper shall take and subscribe in open Court the solemn declaration contained in Appendix C.

Law officers:

SECTION XIII.—*Clause 1st.*—The Court shall have such establishment as Government may deem necessary of Hindoo and Mohummudan law-officers:.

their declarations,

Clause 2d.—Previously to entering upon the duties of their respective offices, they shall take and subscribe in open Court the solemn declaration contained in Appendix C:

and duties.

Clause 3d.—It shall be the duty of the Law-officers to attend the Court, and to give answers, either verbally, or in writing under their signatures, to such questions on points of their respective laws as may be required, and further, to perform such duties as the Court may deem connected with the functions of their offices.

The nazir and his inferior officers.

SECTION XIV.—*Clause 1st.*—The Court shall have a Nazir, with such number of inferior officers as the extent of his business may require:

Security to be furnished by the nazir:

Clause 2d.—Previously to executing any of the functions of

his

his office, the Nazir shall provide two sufficient securities, who shall enter into a bond in such sum as the Court may judge necessary, binding themselves to be answerable for his faithful discharge of his duties, according to the form contained in Appendix D:

his declaration,

Clause 3d.—He shall also take and subscribe in open Court the solemn declaration contained in Appendix C:

and duties.

Clause 4th.—It shall be the duty of the Nazir to serve summonses, to take securities, to execute orders, and generally to fulfil such instructions as he may receive from the Court, returning the precept containing the same with an endorsement specifying the manner in which they were executed, or the cause that has prevented their execution.

Administerers of oaths.

SECTION XV.—The Court shall have, for the purpose of administering oaths, such establishment as may be deemed requisite, of duly qualified persons of different persuasions.

CHAPTER II.

OF ZILLA COURTS, INCLUSIVE OF THE SUBSIDIARY COURTS OF THE ASSISTANT JUDGES.

Appointment of a Judge

SECTION XVI.—*Clause 1st.*—There shall be a Judge in each zilla, who shall preside over the Court of Adawlut and have general control over the establishment annexed thereto:

in each of the Zillas under Bombay, which may be altered by Government Proclamation:

Clause 2d.—The zillas at present established under the Presidency of Bombay are as specified in Appendix E, but it is hereby enacted that their number and respective limits may at all times be altered by proclamation by Government, provided that no territory shall be rendered subject to the Regulations except by Regulation.

His Court where to be held.

SECTION XVII.—The Judge shall ordinarily hold his Court at

at the Suddur station, but, if circumstances render it necessary, he may, with the permission of the Suddur Adawlut, hold it by adjournment at any other place within the zilla.

his seal.

SECTION XVIII.—Each Zilla Judge shall use a circular seal one inch and three quarters in diameter, bearing the following inscription in English and in the language and character of the country in which he holds his Court "*Court of the Zilla of* ——."

his oath.

SECTION XIX.—The Judge, previously to exercising any of the functions of his office, shall take and subscribe before the Governor in Council, or any person whom he may commission to administer it, the oath contained in Appendix A.

An Acting Judge when to be appointed;

SECTION XX.—*Clause* 1*st.*—In case of the absence of the Judge the Governor in Council may delegate to the Assistant Judge of highest rank on the spot authority for the temporary execution of the whole or any part of the duties of Judge, or appoint any other person to discharge them.

his oath.

Clause 2*d.*—The Acting Judge, previously to exercising any of the functions of his office, shall take and subscribe in open Court, before the Assistant Judge of highest rank on the spot, the oath contained in Appendix A, unless the Governor in Council shall himself have administered the oath, or shall have exclusively commissioned any other person to administer it.

Jurisdiction of the Court in regard to the receiving of suits.

SECTION XXI.—*Clause* 1*st.*—The jurisdiction of the Civil Court shall extend to the cognizance of all original suits and complaints between Natives and others, not British-born subjects, respecting the right to moveable or immoveable property, rents, Government revenues, debts, contracts, marriage, succession, damages for injuries, and generally, of all suits and complaints of a Civil nature, it being understood that no interference

rence on the part of the Court in Caste questions is hereby warranted, beyond the admission and trial of any suit instituted for the recovery of damages, on account of an alleged injury to the Caste and character of the plaintiff arising from some illegal act or unjustifiable conduct of the other party:

how limited from the nature of the case.

Clause 2d.—Provided that, in the case of immoveable property it is situated within the zilla, and that in other cases the cause of action shall have arisen, or the defendant, when the suit commenced, shall have resided as a fixed inhabitant within its limits, but without prejudice to the exemption from the jurisdiction of the Civil Court enjoyed by the Nuwab of Surat, his relations and servants, by virtue of the treaty concluded between the Company and the Nuwab on the 13th May 1800, of the 7th Article of which a copy is contained in Appendix F to this Regulation:

The Nuwab of Surat's exemption being preserved,

from prior or simultaneous investigation in a competent Court;

Clause 3d.—And provided, that no decree has been obtained, or that no suit is pending on the matter in dispute in that or any other Court of competent jurisdiction:

from the matter coming under the Collector's cognizance:

Clause 4th.—And provided, that the suit be not one of those which come under the civil cognizance of the Collector, as relating to land, its rent, and produce, and other similar matters, in pursuance of the provisions of Chapter VIII Regulation XVII A. D. 1827:

from the plaintiff being a British-born subject;

Clause 5th.—And provided, that if the plaintiff be a British-born subject, not in the service of His Majesty or the Company, and shall reside at a distance of more than ten (10) miles from the Presidency, he shall have conformed to the rules prescribed by 53d Geo. III. Chapter 155 Section 108th, which directs that such British subjects shall procure certificates from Government of permission so to reside, specifying the place, and whether during the pleasure of Government or for a limited time,

and

and also that such British subject shall deposit his said certificate in the Civil Court of the respective district within one month after commencing residence therein, and that a copy thereof attested by the Judge or other authorized officer of the said Court shall be delivered to the said British subject, and shall be deemed evidence of the certificate on all occasions unless the contrary be shewn; but by the said enactment, it is not incumbent for such certificates to be procured if the residence commenced by the 10th April 1814, and the Civil Court is empowered to entertain a suit without any certificate having been filed, if affidavit be made by the party satisfactorily accounting for the same:

Suits against certain persons, and for certain matters, not to be admitted.

Clause 6th.—And provided also, that the suit be not against a person and in a matter belonging to the jurisdiction of either of the Military Courts of Requests constituted respectively by the Act of 4th Geo. IV Chapter 81 Section 57, and Regulation XXII A. D. 1827 Section VII, and that it be not for any matter of the nature described in Section 66 of the above quoted Act.

Court's jurisdiction over British-born defendants,

Clause 7th.—The Court shall have jurisdiction over British-born subjects to the extent laid down in Chapter V of this Regulation.

and over Collectors and all public officers.

SECTION XXII.—The jurisdiction of the Civil Court shall also extend over Collectors of the revenue and customs, and generally over all public officers, whether Europeans or others, within the zilla, for acts done in their official capacity unauthorized by any established Regulation.

Judge's appellate jurisdiction.

SECTION XXIII.—The jurisdiction of the Zilla Judge shall further extend to the cognizance, by appeal, of suits previously tried by an inferior Court, as specified in Regulation IV A. D. 1827 Section LXXII.

SECTION

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The Judge to superintend the proceedings of inferior Courts:

SECTION XXIV.— It shall be the duty of the Judge to inspect the proceedings of all inferior Courts within the zilla, to see that the forms of proceedings prescribed by the Regulations are adhered to, and to give such directions with respect to forms not provided for by the Regulations as he may deem expedient.

to receive and forward to Government complaints in certain cases against European public officers:

SECTION XXV.—*Clause 1st.*—It shall be the duty of the Judge to receive all complaints preferred in writing charging any European officer attached to the Judicial, Revenue, Commercial, or any other public department within the zilla, with corruption or extortion, to take the oath of the complainant as to the truth of the complaint, and to forward it without delay to the Governor in Council:

to try cases of misconduct of native public officers under his control, and report, suspend, or dismiss them as authorized in the particular case.

Clause 2d.—It shall also be the duty of the Judge to receive all complaints preferred in writing charging any of the ministerial or law officers of the Court, or any Kazee, Commissioner or pleader, with negligence or misconduct in the discharge of his public duty, or with acts of profligacy in his private conduct, to take the oath of the complainant, and if the truth of the complaint should appear to be established, to report, in the case of a Kazee, the circumstances to Government, and, in the case of any other of the above mentioned officers, to employ against the individual accused the power vested in him for the suspension or dismission of such officer.

The Judge to have the control and direction of the civil jail:

SECTION XXVI.—The Judge shall have the control of the civil jail of the zilla, which he shall visit or depute an Assistant to visit at least once in each month, and shall issue such orders connected with the economy thereof, and the good management, accommodation, health, and security of the prisoners, as he may deem necessary:

to obey all orders of the Sudder Dewannee Adawlut or Judges of Circuit.

SECTION XXVII.—*Clause 1st.*—The Judge shall also obey all precepts or orders issued to him either by the Sudder Dewannee Adawlut or by a Judge of Circuit, and shall make

make a return to every such precept, or order, specifying the manner in which it was executed, or the cause that prevented its execution:

and to forward to the Suddur Dewannee Adawlut all returns that may be required,

Clause 2d.—The Judge shall also forward to the Suddur Dewannee Adawlut such returns of suits filed or decided, or of any other judicial matters, as may be required by the latter authority, whether the said returns relate to business transacted in his own Court, or any one subordinate to it:

but in certain cases after the sanction of Government.

Clause 3d.—But the Suddur Dewannee Adawlut shall not require returns to be made periodically and permanently without an express order from Government.

Appointment and oaths of Senior and Junior Assistant Judges:

SECTION XXVIII.—*Clause 1st.*—The Court shall have, if necessary, one or more Senior Assistant Judges, and one or more Junior Assistant Judges; when there are more than one of either class they shall be denominated "*First*," "*Second*," &c. as expressed in their respective orders of appointment: previously to entering upon the discharge of their respective duties they shall take and subscribe before the Judge in open Court the oath contained in Appendix A:

their duties under ordinary circumstances and when holding detached and extended charges.

Clause 2d.—They shall try and decide civil suits, and perform such other official duties as may be prescribed by the zilla Judge: their proceedings shall be conducted according to the rules provided for the Judge, and they shall use the seal of the Court: they thall hold their Courts at the Suddur station of the zilla, or elsewhere if the Judge, with the sanction of the Suddur Adawlut, or by order of Government through that Court, shall so direct: a Senior Assistant may under this clause be stationed by such order of Government within another zilla if found expedient, may in like manner have his judicial jurisdiction enlarged to the extent stated in Clause 6th, and may be vested with special territorial jurisdiction, and with such of the powers of the zilla Judge as may be suitable to the occasion, the requisite instructions being communicated by Government to the

the Suddur Adawlut, and conveyed to the said Assistant through the Judge, who will also publish a notification thereof in the language of the district:

the first Senior Assistant at the Station *ex officio* Superintendent of the register of title deeds and General Register: his absence how provided for.

Clause 3d.—The Senior or First Senior Assistant Judge at the Suddur station shall be *ex officio* Superintendent of the Register of title deeds, and General Register of the zilla; and in case of his absence, or being otherwise prevented from performing the said duties, they shall devolve upon the Assistant next in rank at the Suddur station:

Absence of the Judge how provided for during a reference to Government.

Clause 4th.—In case of the death of the Judge, or his being prevented from performing his duties by indisposition or other casualty, the first in rank of the Assistant Judges shall report the circumstance to the Governor in Council, and, until otherwise instructed, shall confine himself to the peculiar duties of his office, and the exercise of such part of the powers of the Judge as may be necessary for filing suits, receiving pleadings or executing process, or for matters of emergency:

Suits which a Judge may refer to his Assistants:

Clause 5th.—The Judge may refer suits not exceeding 5000 rupees in amount for trial to a Senior Assistant Judge, and suits not exceeding 500 rupees in amount to a Junior Assistant Judge:

how the jurisdiction of Senior Assistants may be extended when necessary.

Clause 6th.—And, when the state of judicial business requires such agency, the Governor in Council may, after receiving a report from the Judge and the opinion of the Suddur Adawlut, convey to the Judge, in the mode described in Clause 2d, authority to refer suits not exceeding rupees 10,000 in amount, and appeals from decisions passed by a Junior Assistant Judge or Commissioner, for trial to the Senior Assistant Judge, or so many of such officers as may be necessary.

Law officers.

SECTION XXIX.—*Clause 1st.*—Each zilla Court shall have such

such establishment as Government may deem necessary of Hindoo and Mohummudan law-officers:

their declaration:

Clause 2d.—Previously to entering upon the duties of their respective offices, they shall take and subscribe before the Judge in open Court the solemn declaration contained in Appendix C:

their duties to expound the law in the Court of the Judge,

Clause 3d.—The duties of the law officers shall be the same as are prescribed in Section XIII Clause 3d of this Regulation, so far as concerns the answering of questions on points of law put to them by the Judge:

and to those of the Assistant Judges and Commissioners:

Clause 4th.—They shall also return written answers on such points of Hindoo or Mohummudan law as shall be submitted to them in writing by an Assistant Judge or Commissioner:

also to take the examination of paupers &c,

Clause 5th.—They shall also, when so directed by the Judge, take the examinations of persons applying to be admitted to sue as paupers, and shall further perform such duties as the Judge may deem connected with the functions of their situations.

Appointment of a Nazir and his inferior officers and establishment:

SECTION XXX.—*Clause 1st.*—The Court shall have a Nazir, with one or more deputies and such other inferior officers, whether writers or peons, as the extent of business may require:

his securities and declaration.

Clause 2d.—The Nazir shall provide the securities, and take and subscribe the solemn declaration directed in Section XIV Clause 2d and 3d of this Regulation to be provided and taken by the Nazir to the Suddur Adawlut:

The Nazir to execute all orders and processes.

Clause 3d.—It shall be the duty of the Nazir, either personally or by means of his inferior officers, to serve summonses and

to

to fix up notices issuing from the Court, to take all securities required by the Court, and to execute all written orders or process to him directed, more especially for the apprehension or custody of persons, and for the sequestration, attachment, or sale of property to answer the Court's decrees.

returning the same duly endorsed:

Clause 4th.—The Nazir shall return the summons or order on the day appointed, with an endorsement specifying the manner in which it has been executed, or the cause that has prevented its execution.

to be the keeper of the Civil Jail.

Clause 5th.—The Nazir shall be *ex officio* keeper of the Civil Jail of the Zilla, and shall be responsible for the safe custody of the prisoners, and for the due observance of the orders of the Judge on all points connected with their treatment.

Serishtadars and native writers:

SECTION XXXI.—*Clause 1st.*—Each Court shall have so many Serishtadars and writers subordinate to them as the extent of business may require:

declaration of the Serishtadar.

Clause 2d.—Each Serishtadar shall take and subscribe in open Court the solemn declaration contained in Appendix C:

The Serishtadar to file all plaints and official papers:

Clause 3d.—It shall be the duty of the Serishtadar to keep a register of all plaints filed in the Court, and to receive and file all pleadings, exhibits and other papers in civil suits:

to record minutes of proceedings, depositions &c.:

Clause 4th.—To take down in writing minutes of the proceedings of the Court, the depositions and examinations taken in it, and all orders and judgments that may be passed:

to examine accounts and make abstracts thereof:

Clause 5th.—The Serishtadar further shall examine, in presence of the parties interested, all matters of account referred to him by the Court, and prepare such abstracts or statements as the order of reference may require:

Clause

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to prepare official papers,

Clause 6th.—He shall also prepare all summonses, orders, warrants, decrees, proclamations, or other writings issuing under the seal and signature of the Court, and copies of such papers in Court as may be required:

and to frame the record.

Clause 7th.—The Serishtadar shall keep a record of the proceedings of the Court:

Papers in suits when to be given over to the Record-keeper by the Serishtadar,

Clause 8th.—The Serishtadar shall, if practicable, deliver over to the charge of the Record-keeper the papers in all cases decided in any of the Courts of the zilla, within thirty (30) days after a decree has been passed, unless an appeal has been entered:

with an inventory and a receipt for the same passed.

Clause 9th.—An inventory shall be delivered along with the papers to the Record-keeper, and the Serishtadar shall obtain a receipt for them in a book to be keep for that purpose.

The record-keeper and his assistants:

SECTION XXXII.—*Clause 1st.*—The Court shall have a Record-keeper with so many Assistants as may be necessary, who shall have charge of the records of all the Civil Courts within the zilla:

his declaration.

Clause 2d.—The Record-keeper shall take and subscribe the solemn declaration contained in Appendix C:

The record-keeper how to arrange papers,

Clause 3d.—He shall arrange each paper according to its number in the respective suit:

and suits;

Clause 4th.—The suits shall be arranged during the current year according to the date on which they were respectively delivered in for record, and shall be so kept until the year is completed, when they shall be arranged for permanent record, according to the year in which they commenced respectively, and the number which each bears upon the general file of that year:

Clause

Clause 5th.—The record-keeper shall keep a day book in the form contained in Appendix G, in which he shall make an entry of every paper delivered into his office belonging to any suit, noting the number of the suit, the date of filing the plaint, the names of the parties, the Court in which it was tried, the date of the decree, the number of the papers in the suit, and the date when it was delivered in for record.

Record-keeper's book.

SECTION XXXIII.—The Court shall have, for the purpose of administering oaths, such establishment as may be deemed requisite of duly qualified persons of different persuasions.

Administerers of oaths.

CHAPTER III.

OF THE APPOINTMENT, REMOVAL AND PUNISHMENT OF OFFICERS OF COURTS.

SECTION XXXIV.—*Clause 1st.*—All Judges, Assistant Judges, Registers and Assistant Registers shall be appointed by the Governor in Council, by whom only they can be suspended or removed:

Judges and their Assistants, Registers and their Assistants, how appointed, suspended and removed:

Clause 2d.—All law-officers shall be appointed by the Governor in Council, by whom only they can be dismissed:

Law officers how appointed and removed,

Clause 3d.—But any law officer may be suspended by the Suddur Adawlut during the pleasure of Government, to whom a report shall forthwith be made, and a law officer on the establishment of a Zilla Court may also be suspended by the Zilla Judge pending a reference to the Suddur Adawlut, which Court, if it confirm the suspension, shall report the case to Government as above directed.

and suspended.

Clause 4th.—All ministerial officers of Courts of civil justice shall (subject to the undoubted right of Government to appoint,

all ministerial officers to be appointed, suspended and

dismissed by the Court:

appoint, suspend, or dismiss any such officer at its pleasure) be appointed, and may in like manner be suspended or dismissed by the Suddur Dewannee Adawlut, or the Zilla Judge, under whose immediate control they may respectively officiate: but the nomination, suspension and dismission of a Nazir in a Zilla Court must be reported to the Suddur Adawlut, and in the Suddur Adawlut must be reported to Government.

Certain cases of suspension of law officers to be investigated by the Judge of Circuit,

SECTION XXXV.—*Clause* 1*st.*—Whenever a law officer of a Zilla Court is suspended on any charge not being a criminal offence, the Suddur Dewannee Adawlut shall direct the Judge of Circuit, when on Circuit in the zilla, to call the party accused before him, and after investigating the facts to transmit to the Court the proceedings, with his opinion on the case:

and decided upon by the Suddur Dewannee Adawlut:

Clause 2*d.*—The Suddur Adawlut, after considering the proceedings, may restore such officer or confirm his suspension during the pleasure of Government, to whom a report shall forthwith be made.

misconduct and neglect of duty in native officers of Courts punishable as criminal offences,

SECTION XXXVI.—*Clause* 1*st.*—Bribery, extortion, and generally all acts of abuse, or misapplication of authority, or neglect of duty committed by any native officer on the establishment of a Court of civil justice, shall be punishable as criminal offences with fine, ordinary imprisonment without hard labour for a period not exceeding seven (7) years, and public disgrace, and the receipt of a present, directly or indirectly, from any person against whom or in whose behalf such officer may be employed to perform any official duty, shall be considered extortion:

being cognizable by the Zilla Court and higher tribunals;

Clause 2*d.*—The above recited offences shall be cognizable by the Criminal Court of the zilla, and other higher tribunals of criminal judicature, but, if the offender should belong to the establishment of the Suddur Adawlut, the case will be tried

by

by that Court in its criminal capacity, whose sentence will be executed by the proper subordinate Court, on precept issued to that effect:

Clause 3d.—Punishments adjudged under this section shall not preclude any other prosecution, civil or criminal, to which the offender may be liable.

and other prosecutions are not thereby precluded.

CHAPTER IV.

OF COURTS OF COMMISSIONERS FOR DECIDING CIVIL SUITS.

SECTION XXXVII.—*Clause 1st.*—Native Commissioners may be appointed in each Zilla for trying and deciding, under the rules prescribed in Regulation IV A. D. 1827, civil suits filed by the Commissioner, in conformity with the said rules, or received from the Judge, who is hereby empowered to refer the same to the Commissioner: provided, that in all suits tried by a Commissioner the defendant reside within the limits of the Commissioner's jurisdiction, and that neither party be an European or American, and further that the cause of action be not liable to any of the objections specified in Section XXI of this Regulation:

Appointment of Commissioners for deciding civil suits,

Clause 2d.—But the Commissioner shall take cognizance of no suit to which his near relation, or one of his immediate servants or dependants is a party:

provided that they are not interested in the result.

Clause 3d.—The number of Commissioners for each Zilla, the stations where their Courts are to be held, the extent of their districts, and the amount of the suits coming within their jurisdiction (which shall not fall short of Rs. 500 nor exceed Rs. 5,000) shall be regulated from time to time by the Judge with the sanction of the Suddur Dewannee Adawlut and confirmation of the Governor in Council, or by order of Government communicated to the Judge through the Suddur Adawlut.

The number of Commissioners and their stations how determined.

Amount of suits cognizable between Rs. 500 and Rs. 5000.

SECTION XXXVIII.—*Clause 1st.*—Each Commissioner shall be selected by the Zilla Judge, and proposed to the Suddur Dewannee

The Judge to select the Commissioner, and the Suddur

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Dewannee Adawlut to grant the commission,

Dewannee Adawlut, which Court, if it see no objection to the selection, shall furnish the party with a commission under its seal and the signature of its Register, according to the form contained in Appendix H, except that in the case of a Commissioner sitting at the Sudder station such part as confers the power of filing and trying unreferred suits is to be omitted.

which shall specify the jurisdiction conferred:

Clause 2d.—The commission shall specify the district over which the jurisdiction of the Commissioner extends, and the highest amount of suit falling within his jurisdiction, and that Europeans and Americans are excluded from his jurisdiction, as well as suits in which his relations and servants or dependants are parties: a copy of his commission shall be kept suspended by the Commissioner in his Court room:

and shall be open to public view;

and may be annulled if necessary; the Commissioner also liable, for misconduct and breach of duty, to suspension, dismission and civil and criminal prosecution.

Clause 3d.—A commission may be annulled by order of Government to the Suddur Dewannee Adawlut, or by the authority of that Court, a report being made to Government: the annulling order shall be executed through the medium of the Zilla Judge, on precept addressed to him by the Suddur Dewannee Adawlut: Commissioners may also, for misbehaviour or neglect of duty, be suspended from official employment and emolument by the Zilla Judge, but such suspension shall be reported to the Suddur Dewannee Adawlut, and, if the period of suspension exceed two months, the case shall be referred to the Suddur Dewannee Adawlut for its final orders, which shall further decide on the Commissioner's eventual restoration or dismission: Commissioners shall also be subject to the prosecutions and penalties specified in Section XXXVI for the offences therein recited.

Commissioner's seal:

SECTION XXXIX.—Each Commissioner shall use a circular seal one inch in diameter, bearing the following inscription in the language and character of the country in which he holds his Court viz. "*Commissioner for the Zilla of* ——— or *for the District of* ——— *in the Zilla of* ———."

his declaration.

SECTION XL.—Previously to exercising any of the functions

of

of his office, the Commissioner shall take and subscribe before the Judge in open Court the solemn declaration contained in Appendix I.

The Commissioner how to receive and dispose of plaints,

SECTION XLI.—*Clause 1st.*—The Commissioner shall receive for trial before himself, or for transmission to the Judge, under the forms and rules prescribed for those purposes in Regulation IV A. D. 1827 Section II, such plaints as may be preferred to him.

and when to act as arbitrator:

Clause 2d.—The Commissioner shall act as arbitrator when applied to for that purpose, as directed in Regulation VII A. D. 1827 Section II Clause 2d.

his ministerial duties:

Clause 3d.—The Commissioner shall execute all such process as is issued and directed to him by the Judge for that purpose.

more Commissioners than one may try the same suit:

SECTION XLII.—The Judge may for special reasons refer a suit to two or more Commissioners jointly.

how a suit pending before a Commissioner may be referred to the Judge:

SECTION XLIII.—If whilst a suit is pending it shall appear that either of the parties is an European or American, or is related to the Commissioner, or is his servant or dependant, that the Commissioner is personally interested in the suit, that the defendant is a public servant, and that the suit is brought for acts done by him in his public capacity, that the evidence could be more conveniently taken elsewhere, or that other sufficient reason exists why the Commissioner should not take cognizance of the suit, he shall stay further proceedings and send up such suit to the Judge, or the Judge may require him to do so, and in either case the Judge may try the suit himself, or refer it to any competent authority for that purpose.

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returns to be forwarded by the Commissioner to the Judge.

SECTION XLIV.—The Commissioner shall forward to the Zilla Judge, such returns of suits filed or decided, or of any other judicial matters, whether originating in regular suits or arbitration, as may be required by the latter authority.

CHAPTER V.

OF COURTS FOR THE RECOVERY OF DEBTS DUE BY BRITISH SUBJECTS.

Jurisdiction of Magistrates in cases of debt stated to be due by British subjects.

SECTION XLV.—*Clause* 1*st*.—By Act 53d Geo. III Chapter 155 Section 106 authority is conferred on Magistrates, each within his respective jurisdiction, and without the limits of the jurisdiction of the Court of Requests at the Presidency, to take cognizance of any debt not exceeding 50 Rupees alleged to be due by a British subject who may be resident in or have contracted the said debt within the said jurisdiction to a Native resident in India, and without the jurisdiction of the said Court of Requests; but by Act 4th Geo. IV Chapter 81 Section 57 officers and soldiers are excepted from the operation of this rule:

The Magistrate's decision final and the amount decreed leviable by his authority:

Clause 2*d*.—A decision made under the preceding clause is declared by the said enactment to be final, and the amount leviable by warrant under the hand of the Magistrate on any property of the debtor which may be found in the above jurisdiction; and if no such property be found, then the debtor may be committed (by warrant under the hand of the Magistrate) to confinement, for a period not exceeding two (2) months, in any fit place within the said jurisdiction, or, if there be no such place, then in the gaol at the Presidency;

his proceedings to be summary.

Clause 3*d*.—And also the proceedings in such cases are enacted to be conducted in a summary manner.

Jurisdiction of the constituted Civil Courts in cases of debt stated

SECTION XLVI.—*Clause* 1*st*.—It is enacted in Section 107 of the above Act and Chapter, that all Courts which have or hereafter may have cognizance of civil suits or matters of revenue,

nue, either originally or by way of appeal, shall have jurisdiction over British subjects of his Majesty, whether in the service of the Honorable Company or not, (except in case of demands not exceeding 400 Rupees made against British subjects being officers, or subject to Military authority by Act 4th Geo. IV Chapter 81 Section 57) in all matters or proceedings of a civil nature, in the same manner as they have over Natives of India by Regulation, under the following restrictions:

to be due by British subjects:

Clause 2d.—Such Court shall not take cognizance, unless the British subject reside, or carry on trade or other business, or be in the occupation or possession of immoveable property within the said Court's jurisdiction, and at the distance of more than ten miles from the Presidency:

particular grounds of the jurisdiction; residence of the defendant, his carrying on trade, or possessing immoveable property within the Zilla:

Clause 3d.—And to render the party amenable on the ground of residence, it is necessary, that he should be resident at the time of commencing the action or proceeding, or else, that the cause of action should have arisen within two years from the institution of the suit, and within six months from the residence ceasing:

explanation of the ground of residence:

Clause 4th.—And to render the party amenable on the ground of carrying on trade or business, it is necessary that the cause of suit should relate to the same, and should have arisen within the jurisdiction:

specific provision relative to the ground of carrying on trade,

Clause 5th.—And to render the party amenable on the ground of occupying or possessing immoveable property, it is necessary that the action or proceeding relate to such occupation or possession, or to rent or other demands arising from it:

and to the possession of immoveable property.

Clause 6th.—And if a suit instituted as above said be appealable by usual course of law to the Supreme Civil Court for the territories subject to the Bombay Presidency (under whatever denomination)

The defendant, if the suit be appealable to the Suddur Adaw-

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1st, may appeal to his Majesty's Supreme Court of Judicature.

denomination) the said British subject shall be at liberty to appeal, instead of such Court, to the Supreme Court at the Presidency, in which Court he may also be originally sued, instead of the Courts stated in the first Clause of this Section.

CHAPTER VI.

OF PLEADERS.

Authorized pleaders to hold Sunnuds,

SECTION XLVII.—*Clause* 1*st.*—Natives or others may be authorized to practice in each Court as pleaders (Vakeels) in behalf of parties in any judicial proceeding, being qualified by sunnud according to the rules in the succeeding section :

and to act in all suits where the parties or their recognized agents do not appear,

Clause 2*d.*—No person shall be allowed to act in any such proceeding except such pleaders, or the parties themselves or their recognized agents, as provided in Regulation III A. D. 1827 Section III Clause 2d :

except in the Court of a district Commissioner :

Clause 3*d.*—But in the Court of a Commissioner not at the Suddur Station any person may act in behalf of a party on a Vakalutnama being filed :

a pleader for Government may hold a general vakalutnama :

Clause 4*th.*—In matters to which Government is a party it shall be lawful for a pleader to act on a general Vakalutnama, to be issued by the officer under whose control the said matters are conducted, provided a duplicate be deposited in the Zilla Court of the district in which he practises.

the number of pleaders to be unlimited :

SECTION XLVIII.—*Clause* 1*st.*—The number of pleaders shall not be limited, but any person duly qualified and of unexceptionable character shall be entitled to a Sunnud of appointment.

their qualifications how ascertained, their appointment how made,

Clause 2*d.*—The qualifications of candidates for the station of pleader shall be determined by certificate from a Committee consisting

consisting of two or more law officers of different persuasions on the establishment of either the Court of Suddur Dewannee Adawlut, or the Zilla Court, where the candidate offers himself for practice: the selection of the members of the committee shall be made by the Suddur Dewannee Adawlut, and a Judge of that Court shall preside in the committee, and shall have the casting vote, in case of the members of the committee being equally divided, and a negative vote in all cases:

and their sunnuds issued:

Clause 3d.—Each pleader, on being found qualified, shall be furnished with a sunnud, under the seal of the Court of Suddur Dewannee Adawlut, in the form of Appendix J.

the practice of pleaders how regulated:

SECTION XLIX.—The pleaders in the Zilla Courts shall practise each in such particular Court or Courts as may be assigned to them by the Zilla Judge, or indiscriminately in all the Courts of the respective Zilla, if it be not found necessary to appropriate the pleaders to particular Courts.

on appearing in a suit the pleader must file a vakalutnama;

SECTION L.—*Clause 1st.*—A pleader shall not be allowed to act in any suit or proceeding until he has obtained from the party, and filed in Court, a power of attorney (vakalutnama), according to the form contained in Appendix K, appointing him pleader in the cause.

retaining fee to be paid by the party engaging a pleader;

Clause 2d.—If a party engages a pleader to act in his behalf, he shall present him with eight annas as a retaining fee, for which the pleader shall grant him a written acknowledgment, specifying the date of payment, and if the said retaining fee be not offered, the pleader shall demand it, and abstain from all proceeding until it be delivered:

after receipt of which the pleader must perform his engagement:

Clause 3d.—If, after receiving the retaining fee, a pleader shall engage with or act for the other party, or refuse or omit to act on behalf of his client, he may be punished by a fine not exceeding

ceeding 500 rupees, or, if the matter in litigation be less than 250 rupees, then not exceeding twice the amount of the sum in dispute between the parties; or, if the circumstances are of an aggravated nature, may be suspended or dismissed under the rules contained in Section LVI of this Regulation:

penalty in case of misconduct:

Clause 4th.—The fine may be inflicted by the Court in which the suit relative to which the failure of duty occurred may be pending; unless such Court be subordinate to that of the Zilla Judge, in which case it shall be imposed by his immediate authority.

to be enforced by the Zilla Judge or any superior Court in which the suit is pending:

SECTION LI.—*Clause 1st.*—A pleader, when his vakalutnama has been filed, shall be held to represent his client in all matters connected with the prosecution or defence of the suit or proceeding in Court, and acts done by and notices served upon the pleader shall be equally valid as if done by or served upon the party, unless they be to procure the personal attendance of the said party, or fulfilment of a decree.

the pleader represents his client in all matters of the suit:

Clause 2d.—It shall be incumbent on a pleader, at the time of receiving any accounts, writings, or documents from his client, to give a written receipt for them, and to restore them when required, under penalty of a fine not exceeding 100 rupees, to be levied under the rules contained in the last Clause of the preceding Section, or, if the circumstances be of an aggravated nature, of suspension or dismission according to Section LVI of this Regulation.

must pass receipts to his client for papers which he must return when required; penalty in case of misconduct:

SECTION LII.—*Clause 1st.*—Each pleader employed in prosecuting or defending an original suit shall be entitled to a percentage on the amount sued for, according to the rates specified in Appendix L, as a remuneration for his trouble in acting in behalf of his client, until the decree in the suit is passed, and thereafter until such decree is fulfilled:

established fees of pleaders in original suits,

Clause

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and in appeals,

Clause 2*d.*—The remuneration to a pleader employed in prosecuting or defending an appeal regular or special shall be the same as is above prescribed in the case of an original suit:

unless otherwise settled by private agreement:

Clause 3*d.*—The above rules shall not prevent an express agreement being entered into between pleader and client, for either a larger or smaller sum than the established fee:

but if more is decreed by way of reimbursement than was agreed to be paid to the pleader, the pleader shall have the excess:

Clause 4*th.*—But, if a larger sum than was agreed for between a pleader and client is awarded in costs against the other party, the pleader, notwithstanding his agreement with his own client, shall be entitled to the excess when recovered.

pleader's fee how recovered,

Clause 5*th.*—The party retaining a pleader shall be responsible to him for his fee, which shall be recoverable from his client in preference to all other claims, as soon as a decree has been passed in the suit, whether an appeal has been entered or not, or if the pleader prefer, it shall be recovered with other costs in course of executing the decree, and a receipt book shall be kept in each Court for the signature of pleaders on receipt of their fees, in which shall be entered the amount received and number of the suit.

and its receipt recorded:

when a demand is admitted, or withdrawn, half fees only shall be paid:

SECTION LIII.—*Clause* 1*st.*—If an acknowledgment of the demand is entered, or a suit or appeal withdrawn without being brought to trial, the pleader shall be entitled to only half the established fee.

more pleaders than one may be engaged, but without prejudice to the opposite party:

Clause 2*d.*—Either party may engage two or more pleaders to conduct his suit or defence, but the party found liable in costs will not be answerable for more than the established fee of one pleader on behalf of the other party.

the client may cancel his vakalutnama, but a pleader

Clause 3*d.*—It shall be competent to a party at any time to withdraw the authority vested in a pleader to act in his behalf,

on

cannot abandon his client without the client's consent or the order of the Court:

on giving the Court notice in writing to that effect; but it shall not be competent to a pleader to withdraw from acting in behalf of his client without his consent or the special permission of the Court:

a pleader relinquishing his cause by permission how to be remunerated:

Clause 4th.—In case of a pleader being removed from the conduct of a suit by virtue of the preceding Clause, the Court if applied to shall summarily determine, whether any or what proportion of the fee is to be paid to him, and any amount so fixed shall be recoverable immediately by the process used for executing decrees.

pleader's unavoidable absence to be reported to the Court, which will direct the requisite measures,

SECTION LIV.—*Clause 1st.*—If a pleader is unable to attend the Court in consequence of indisposition or other necessary cause, he shall notify the same to the Court in writing, in which case proceeding in the suit shall be stayed for such time as the Court deems reasonable, to enable the party to transfer by endorsement or otherwise his power of attorney (either temporarily or until the suit is determined) to another pleader;

punishing negligence:

and any pleader absenting himself without written notice as above prescribed may be punished by fine not exceeding rupees 100, to be adjudged by the Court in which the failure of duty occurred, and levied as the amount of a decree by the same, unless such Court be subordinate to the Zilla Judge, when the fine shall be subject to the revision of the Zilla Judge, and shall be enforced only by his authority.

in the event of the pleader's permanent absence or death, the Court determines the amount of fees due to such pleader or his heirs.

Clause 2d.—In case of the resignation, dismissal or death of a pleader, proceedings in the suit shall in like manner be stayed, and the Court if applied to will determine the proportion of the fee, if any, to be paid to such pleader or his heirs, which shall be recoverable immediately by the process used for executing decrees.

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SECTION LV.—When a pleader is employed in any matter not being an ordinary suit or appeal, he shall be remunerated according to his labour in the case, and the extent of such remuneration, if disputed, shall be summarily determined by the Court, and levied as stated in the last clause of the preceding section.

fees in extraordinary matters before the Court to be determined, if disputed, by the Court.

SECTION LVI.—A pleader accused of a criminal offence, or guilty of misbehaviour or neglect of duty, shall be liable to be suspended or dismissed under the rules regarding commissioners contained in the 3d Clause of Section XXXVIII of this Regulation, but nothing herein contained shall prevent a party from instituting an action for damages against his pleader, when he may consider himself injured by his acts or omissions.

Pleaders how liable to suspension or dismission, without prejudice to private actions against them for damages.

APPENDIX A.

(*See Sections* IV, XIX, XX *Clause 2d, and* XXVIII *Clause 1st.*)

Form of oath to be taken by a Judge of the Suddur Dewannee Adawlut, and a Judge, and Assistant Judge of a Zilla Court.

I, A. B. appointed (Chief, second, third &c. Judge of the Suddur Dewannee Adawlut, Judge, Senior, first &c. Senior, Junior, first &c. Junior Assistant Judge of the Zilla of —— *as the case may be*) do solemnly swear, that I will perform the duties of my office and administer justice with impartiality and integrity and conformably to the law: **that I will to the best of my ability preserve the public peace,* that I will not receive, directly or indirectly, any present whatever on account of any suit or matter to be instituted, or which may be depending, or may have been determined in this or any other Court, nor will I knowingly permit any person under my authority or in my service to do so: That I will not be concerned, directly or indirectly, in any commercial transaction whatever, nor derive any emolument or advantage from my station, excepting

* To be omitted in the oath taken by a Judge of the Suddur Adawlut.

ing such as the orders of government do or may authorize me to receive.

So help me God.

Date. Signature.

APPENDIX B.

(See Section XI *Clause 1st.)*

Form of oath to be taken by the Register and Assistant Register to the Suddur Dewannee Adawlut.

I, A. B. appointed Register (*or* Assistant Register) of the Suddur Dewannee Adawlut, do solemnly swear that I will truly and faithfully perform the duties of my office according to the best of my knowledge and ability: That I will not receive directly or indirectly any present whatever on account of any suit or matter to be instituted, or which may be depending or may have been determined in this or any other Court, nor knowingly permit any person under my authority or in my service to do so: That I will not be concerned, directly or indirectly, in any commercial transaction whatever, nor derive any emolument or advantage from my station excepting such as the orders of Government do or may authorize me to receive.

So help me God.

Date. Signature.

APPENDIX C.

(See Sections XII *Clause 4th,* XIII *Clause 2d,* XIV *Clause 3d,* XXIX *Clause 2d,* XXXI *Clause 2d, and* XXXII *Clause 2d.)*

Form of solemn declaration to be taken by a Law-officer, Nazir, Surishtadar, Assistant Surishtadar, and Record-keeper.

I, A. B. appointed —— in the Court of ——, do solemnly declare that I will truly and faithfully perform the duties of my office

office according to the best of my knowledge and ability: that I will not accept, directly or indirectly, or knowingly permit any other person to receive for me, any present in money or effects of any kind, or the promise of any such on account of any suit or matter to be instituted or which may be depending, or may have been determined in this or any other Court, and that I will not, directly or indirectly, derive any advantage or emolument from my office, excepting such as the orders of Government do or may authorize me to receive. So help me God.

Date. Signature.

APPENDIX D.

(*See Section* XIV *Clause* 2*d.*)

Form of bond to be entered into by the Nazir's securities.

Whereas —— has been appointed Nazir to the Court of ——, and whereas, before exercising the duties of the said office, it is necessary that he should find sufficient security for the faithful discharge of the same: Therefore we —— and —— do hereby bind ourselves our heirs and executors to the Sirkar in the sum of rupees —— each, that he, the said ——, shall well and diligently discharge all the duties of the Nazir of the Court, and that he shall faithfully account for all property, moveable or immoveable, that may come into his possession or custody in that capacity; and in case of his failure in any of these respects, we do hereby bind ourselves jointly and severally, but each to the amount aforesaid only, to make good to the parties interested, or to the Sirkar on their account, all loss or damage sustained by the suitors or others in consequence of the act, misconduct, or neglect of the said ——, or of any deputies or others of his officers acting under his authority, as the same may be ascertained and awarded by order of the said Court. As witness our hands at —— this — day of —— 18—.

Witnesses, (Signed) A. B.

E. F. " C. D.

G. H.

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APPENDIX E.

(See Section XVI, Clause 2d.)

List and territorial description of the Zillas established under the Presidency of Bombay.

SURAT ZILLA.

GROUND OF THE JURISDICTION.	TERRITORY.	DATE WHEN THE JURISDICTION COMMENCED.
Sections I & II Regulation I of 1800.	The city and port of Surat and town of Randier and their dependencies.....	13th May 1800.
Sect. II Regulation I of 1802.	The purgunna of Chourasee.....	7th Jan. 1802.
	The purgunna of Chiklee.....	14th June 1802.
Cessions by the Paishwa under the treaty of Basseen.	The eight (8) purgunnas of Bulsar, Parneira, Bhootsur, Parchol, Soopa, Surbhan Walor, and Boharee.....	31st Dec. 1802.
Reg. II of 1805.	The Kusba of Bardolee. The three (3) villages of Kuttergaum, Koomarea and Phoolpara.	
Sect. II Regulation I of 1817.	The purgunna of Currode.....	5th June 1816.
Order of Council dated 17th November 1817.	The purgunna of Bhugwara.	6th June 1817.
Sections VI, VII and XI Regulation III of 1819.	The purgunna of Turkeysir. The Kusba of Mota..... The village of Magdula with some adjoining lands of the village of Peeplod. The purgunna of Oolpar.....	28th Nov. 1817.

BROACH

BROACH ZILLA.

GROUND OF THE JURISDICTION.	TERRITORY.	DATE WHEN THE JURISDICTION COMMENCED.
Cessions by the Paishwa under the treaty of Basseen. Reg. II of 1805.	The purgunnas of Hansot and Oklasur.	31st Dec. 1802.
Sects. I. and II Reg. II of 1805 and Sect. II Reg. III of 1814.	The town and purgunna of Broach.	29th Aug. 1803.
Sect. II Reg. VI of 1807, and Sect. II Reg. III of 1819.	The three (3) purgunnas of Jumbooseer, Ahmod and Dejbara.	5th June 1817.

EASTERN ZILLA NORTH OF THE MYHEE (KAIRA).

Cession by the Paishwa under the treaty of Basseen. Regulation II of 1805.	The tuppa of Naupar.	31st Dec. 1802.
Cessions by the Guikawar. Regulation II of 1805. and Regulation III of 1819.	The enam town of Kaira, and its dependencies. The three (3) purgunnas of Neriad, Mahtur and Moondha. Sixteen villages of Dholka east of the Saburmutty river.	5th June 1803.

EASTERN ZILLA NORTH OF THE MYHEE (KAIRA).

(Continued.)

GROUND OF THE JURISDICTION.	TERRITORY.	DATE WHEN THE JURISDICTION COMMENCED.
Sect. II Regulation I of 1817.	The purgunna of Kupurwunj. The tuppa of Bahlej. The four (4) villages of Sundana, Antrolee, Wasna and Kurnej.	5th June 1816.
Section III Regulation III of 1819, and Sect. II Regulation IV of 1820.	The five (5) purgunnas of Mahmoodabad, Antrolee, Alena, (except the two villages of Nikol and Sanoda) Tasra and Duskuroee to the East of the Kharee river. The Paishwa's share of the Pitlaud purgunna. The town of Oomrut.	6th June 1817.

WESTERN ZILLA NORTH OF THE MYHEE (AHMEDABAD).

Cessions by the Paishwa under the treaty of Basseen. Sections I and V Regulation II of 1805, and Sect. III Regulation III of 1819.	The three (3) purgunnas of Dundooka, Ranpoor and Gogo.	30th Dec. 1802.
Cession by the Guikawar. Sects. I and V Reg. II of 1805, and Sect. III Regulation III of 1819.	The purgunna of Dholka, except sixteen (16) villages which are east of the Saburmutty river.	5th June 1803.

The

WESTERN ZILLA NORTH OF THE MYHEE (AHMEDABAD)

(Continued.)

GROUND OF THE JURISDICTION.	TERRITORY.	DATE WHEN THE JURISDICTION COMMENCED.
Sect. II Regulation VII of 1819.	The city of Ahmedabad. The Duskuroee purgunna to the west of the Kharee river. The purgunna of Veerumgaum. The two (2) villages of Nikol and Sanoda in the Alena purgunna. The purgunna of Purantej. The Paishwa's share of the districts of Byar, Hursol and Morassa.	6th June 1817.

ZILLA OF THE NORTHERN KONKAN.

Sects. I and II Reg. III of 1799 and Sect. II Reg. III of 1814.	The Islands of Salsette and Caranjah and their dependencies.	1st Dec. 1774.
Sect. II Reg. VI of 1817.	The districts of Bellapoor, Autgaum and Kalian, and all the other territories of the Paishwa Bajee Row extending North of those districts as far as the Demaun river, and lying between the Ghauts and the sea.	5th June 1817.
Sections IX and XI Reg. III of 1819.	The territories of the Paishwa Bajee Row extending South of the districts of Bellapoor, Autgaum and Kalian, as far as the Apta river, and lying between the Ghauts and the sea, with the exception of the town of Apta, and the villages of Korulwaree and Sendapoor in the Kurnala talooka.	2d Sept. 1818.

ZILLA OF THE NORTHERN KONKAN.

(Continued.)

<table>
<tr><th>GROUND OF THE JURISDICTION.</th><th>TERRITORY.</th><th>DATE WHEN THE JURISDICTION COMMENCED.</th></tr>
<tr><td></td><td>So much of the Uoorwuleet turuf, North of the Apta, as belonged to the state of Colaba, with the exception of the following ten (10) villages and twenty five (25) Khars.

Villages.

Woolvie, Parengur,
Turghur, Koondeywal,
Dapolee, Masor,
Kopur, Awrey,
Pohee, Gowan.

Khars.

Nandaee Neemba, Pond Khar,
Khar Wasunee, Shemptee,
Hurrichundur Peemplee. Waltee,
Kaljee Gobur, Danwacha-kota,
Boorev Boozoorg, Chiklee-bhom,
Band Khar, Motee Khar,
Khat Khar, Ranjun Khar,
Waltee, Hurischundur-kota,
Mhalace, Gowendee,
Sonkhar, Boree-khoord,
Bhangaree-boozoorg, Boree-cha-kota,
Rel Khar, Kopur,
Pota-cha-moonh.

So much of the Toongartun Muhal, North of the Apta, as belonged to the state of Colaba with the exception of the village of Wat.
The four (4) villages Tulowrey, Chandajee, Goorvey and Nurol in the Vuredy turuf.
The two (2) villages Dewroog and Khurwar-boozoorg in the Soonalee turuf.
The village Amburjey in the Sherey turuf.</td><td>Treaty with the Colaba state.

6th June 1824.</td></tr>
</table>

The

ZILLA OF THE NORTHERN KONKAN.

(Continued.)

GROUND OF THE JURISDICTION.	TERRITORY.	DATE WHEN THE JURISDICTION COMMENCED.
Treaty with the Colaba state.	The village Ambolee in the Burey turuf. The three (3) villages Nitaley, Nourey and Khyruney in the Tulozeh turuf. The three (3) villages Kampolee, Dewkur and Bhanwuj in the Bortee turuf.	6th June 1824.

ZILLA OF THE SOUTHERN KONKAN.

Sect. I Reg. I of 1811.	Fort Victoria and its nine (9) dependent villages.	12th Oct. 1756.
Sect. I Reg. XI 1814.	The Fort and Island of Sindoodroog in Malwan, and the forts of Puddunghur, Rajkot and Serjeekot, with the villages and lands dependent on the said forts.	1st Oct. 1812.
Treaty with the Waree state.	The Fort of Vingorla with six hundred (600) yards around.	3d Oct. 1812.
Cessions by the Waree state.	The rest of the valley of Vingorla.	5th May 1813.
	So much of Wurar and Muloondee as belonged at the time to the state of Waree.	29th Jan. 1814.
Sects. IX and XI Reg. III of 1819.	The territories of the Paishwa Bajee Row bounded on the North by the Apta river and on the South by the Karlee or Malwan river, and lying between the Ghauts and the sea with the four (4) following exceptions. 1st.—The Oonderee talooka, except the village of Khar Dolvie, which village belongs to the zilla. 2d.—The three (3) following villages in Chawool; viz. Waolee, Karley and Komprolee.	2d Sept. 1818.

3d.—The

ZILLA OF THE SOUTHERN KONKAN.

(*Continued.*)

GROUNDS OF THE JURISDICTION.	TERRITORY.	DATE WHEN THE JURISDICTION COMMENCED.
Sect. IX and XI Reg. III of 1819.	3d.—The five (5) following Warees in Chawool and Thul, viz. Pakaree Rameshwur, Pakaree Bolawee, Ramajee Mahadeo, Veesajee Keshow and Wursolee. 4th.—The oarts belonging to and situated without the walls of the fort of Rewdunda.	2d Sept. 1818.
Reg. III of 1820.	The nine (9) following sea coast villages in the turufs of Ajgaum and Paut, viz. OF AJGAUM: Raree, Arowlee, Seerodee. OF PAUT: Dabolee, Kanolee, Keyloos, Mahapun with the adjoining fort of Newtee, Konchuree, Purolen.	17th Feb. 1819.
Treaty with the Colaba state.	So much of the Toongartun turf situated South of the Apta river, as belonged to the state of Colaba, with the exception of the village of Khuraree boozoorg. The two (2) villages Wureree and Shetolee and the four (4) Khars, Sonkhar, Dhadur Khar, Khar Dubaba and Dolvie Khar in the Humrapoor turuf.	6th June 1824.

THE PRESIDENCY.

Royal grant. See also Sect. II Reg. III of 1799 Reg. III 1815 and Regs. III, IV and VII of 1817.	The Revenue Jurisdiction of the Island of Bombay and its adjacent dependencies administered at present by the Revenue Judge and the Court of Petty Sessions.	A. D. 1668.

APPENDIX F.

(See Section XXI *Clause 2d.)*

Extract from the treaty between the British Government and the Nuwaub of Surat dated the 13th May 1800.

ART. 7TH. In complaints brought before the Court of justice, in which it shall appear either by the application of the Nabob, or the representation of the defendant, at or before the time of giving in his or her answer, or by the petition of the complainant, that both parties are relations or servants of the Nabob, such parties shall in the first instance be referred for justice to the Nabob or to any person he may appoint to dispense it: any complaint against the relations or immediate servants of the Nabob, by persons of a different description, shall in the first instance be made to the Chief Civil Servant at Surat, who shall refer it to the Nabob, who has engaged to order an immediate investigation to be made, or, in case the parties should desire it, to order the dispute to be referred to a proper arbitration, the Nabob engaging to bring it to a direct issue, or to carry the sentence or award, if unfavourable to his relation or servant, into immediate execution.

APPENDIX G.

(See Section XXXII *Clause 5th.)*

Form of Day Book for Civil Records kept in a Zilla Court.

DATE OF DELIVERY FOR RECORD.	NO. OF SUIT.	DATE WHEN FILED.	NAMES OF THE PARTIES.	BY WHOM TRIED.	DATE OF DECREE.	NUMBER OF PAPERS RECEIVED.
1821 5th April....	753 of 1821..	2d February 1821....	A *versus* B. C.	Commissioner of —	20th March 1821....	No. 1 to 24 inclusive as per list in decree.
6th April	613 of 1821..	3d March 1821.....	*versus* D.	Judge	29th March 1821....	No. 1 to 37 inclusive as per separate list.

A. D. 1827. REGULATION II.

APPENDIX H.

(See Section XXXVIII *Clause 1st.)*

Form of Commission to be granted to a Commissioner for deciding suits.

Seal of the Suddur Dewannee Adawlut,

The Judges of the Suddur Dewannee Adawlut, by virtue of the powers vested in them by Regulation II A. D. 1827, do hereby appoint you —— Commissioner in the —— of —— with the powers of delegate for receiving, trying and deciding, without any orders from the Court, such suits between persons not being Europeans or Americans, or in which your own relations servants or dependants are parties, as may be preferred to you, either for immoveable or moveable property, and with the powers of referee for trying and deciding such suits as the Judge may refer to you when the amount or value of the claim shall not exceed rupees ——

And with powers to act as sole arbitrator without any previous application to the Court, in disputes in civil matters submitted to you, in conformity with the rules for arbitrations contained in Regulation VII A. D. 1827.

You are to hold your Court at ———, and to hear and decide such suits or disputes as may be brought before you, and to exercise the authority vested in you according to such Regulations as have been or may be published by the Governor in Council.

By order of the Suddur
Dewannee Adawlut,

Date

Signed by the Register.

APPENDIX

REGULATION II. A. D. 1827.

APPENDIX I.

(*See Section* XL.)

Form of solemn declaration to be taken by a Commissioner.

"I, A. B. appointed Commissioner for trying and determining civil suits, solemnly declare that I will impartially determine the suits that may come before me according to the best of my abilities and judgment, and that I will not directly or indirectly receive, or knowingly permit any other person to receive for me, any money, effects or property, or the promise of any such, on account of any suit that may come before me, excepting such as the Regulations of Government do or may authorize me to receive, and that I will in all respects truly and faithfully execute the trust reposed in me.

(Date.) (Signed) By the Commissioner.

APPENDIX J.

(*See Section* XLVIII *Clause 3d.*)

Form of Sunnud granted to a pleader.

Seal of the Suddur Dewannee Adawlut.

To

A. B. inhabitant of ———.

In conformity with the provisions of Regulation II A. D. 1827, you A. B. are hereby appointed to the office of Pleader in the Court of ——: you will not be liable to be removed from your situation during your good behaviour, while you discharge your duty with zeal and integrity under the rules contained in the Regulations which now are or hereafter may be in force.

By order of the Suddur Dewannee Adawlut,

(Signed) By the Register.

APPENDIX

A. D. 1827. REGULATION II.

APPENDIX K.

(*See Section* L *Clause* 1*st.*)

Form of Power of Attorney to enable a pleader to act in a suit.

In the Court of ———.

Suit for Rs. ———.

——— Plaintiff,

against

——— Defendant.

I ——— plaintiff (*or* defendant *as the case may be*) do hereby authorize ——— to appear and act as pleader for me in the above suit.

Witness my hand this — day of —— 18—.

(Signed,) *or* (the mark of)
The Plaintiff
or
Defendant.

APPENDIX L.

(*See Section* LII *Clause* 1*st.*)

Statement shewing the fees to which pleaders are entitled for acting throughout ordinary suits, when there is no specific agreement.

The Pleader's fee is

In suits for not more than Rupees 2000 .... 3 per cent.

In suits for from Rupees 2000 to 10,000 inclusive, on Rupees 2000 as above, and on the remainder ..... 2 per cent.

In suits for from Rupees 10,000 to 20,000 inclusive, on Rupees 10,000 as above, and on the remainder ..... 1 per cent.

In suits for more than Rupees 20,000, on that sum as above, and on the remainder. ..... $\frac{1}{2}$ per cent.

Circular.

No. 1640 of 1852.

Territorial Department
Revenue,

To,

The Collector
Broach.

Sir,

His Lordship in Council has learnt that it is the practice in Surat to withhold the fees from the Government Vukeel in Cases in which Government are cast, only to allow them to him when they can be recovered from the losing party.

2nd Government consider this arrangement to be very objectionable, and desire me to request, that, if it obtains in your Collectorate, you will have the goodness to discontinue it, and to pay the Vukeel full fees according to appendix II. Regulation II of 1827. in suits in which Government may be cast, or in which, consequent on the opposing party being a certified Pauper, the Vukeel may be unable to recover them from him ...

Bombay Castle,
9th March 1852.

I have &ca &ca
(Signed) H. E. Goldsmid
Secretary to Govt.

(True Copy)
(Signed) C. J. Davies
1st Assistt. Collr. in charge

(True Copy)
(Signed) A. Merlet
Chief Secy. to Govt.

"True Copy"

M. Crinlall
Civil Auditor

1857/52
Civil Auds
In No 3107A

Rec'd 30 Nov/52

(Branch of Civil Judicature.)

A. D. 1827. REGULATION III.

A REGULATION *containing provisions as to the official proceedings in general of Courts of Civil Justice, their sittings, the mode of communicating with them, the mode of keeping the minutes of their proceedings, the sealing, signing and language of process, and the grant of copies of papers on their Records.*—PASSED *by the Governor in Council on the 1st January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1833, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of four (4) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Of the sittings of Courts of Civil Justice and the mode of communicating with them.*	I.
II.	*Of the minutes of proceedings*.....	IV.
III.	*Of the sealing, signing and language of process*.....	IX.
IV.	*Of granting copies of papers*.....	XII.

(Branch of Civil Judicature.)

REGULATION III. A. D. 1827.

A REGULATION *containing Provisions as to the Official proceedings in general of Courts of Civil Justice, their sittings, the mode of communicating with them, the mode of keeping the minutes of their proceedings, the sealing, signing and Language of Process, and the grant of Copies of Papers on their Records.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883; *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is essential to the due and convenient administration of Civil Justice, that Provision should be made for the sittings of Courts and for certain other matters connected with their official proceedings in general, the following Rules are therefore enacted to take effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER I.

OF THE SITTINGS OF COURTS OF CIVIL JUSTICE AND THE MODE OF COMMUNICATING WITH THEM.

Courts to sit from day to day unless otherwise notified.

SECTION I.—*Clause* 1st.—All Courts of Civil Justice shall sit from day to day for the trial of causes and despatch of business, unless notice of further adjournment has been given.

Clause

REGULATION III. A. D. 1827.

Exceptions enacted.

Clause 2d.—But every Court, in which an European authority presides, or which may sit at the Suddur station, shall be closed on Sunday, and on the days specified in Appendix A. and shall not transact business, except in cases of urgency, which will not admit of delay.

And authorized.

Clause 3d.—All Courts of Civil Justice are further authorized, provided however that the directions of the Zilla Judge shall regulate the practice of all subordinate Courts, to adjourn over the holidays specified in Appendix B. and such local holidays as may be authorized by the Judge in each Zilla with the Sanction of the Suddur Adawlut, a list of which shall be kept constantly fixed up in a conspicuous part of the Court room.

All matters in Suits to be conducted in open Court.

SECTION II.—*Clause 1st.*—No Judge of any of the Courts shall hold communication, regarding a suit or trial depending before him, or coming within his cognizance, or regarding any matter connected therewith, otherwise than in open Court.

Exceptions in cases of emergency.

Clause 2d.—But on occasions of sudden emergency, such as the fraudulent withdrawing of persons or removal of property from the Jurisdiction, wherein the ends of justice are likely to be defeated by the delay, the Judge, though not in Court, may receive applications in writing and issue orders thereon, his proceedings being duly recorded at the next sitting of Court.

Pleadings, applications, &c. to be presented by the parties.

SECTION III.—*Clause 1st.*—All Pleadings and applications in any suit or Civil proceeding shall, unless when the contrary is expressly enacted, be in writing, and shall be presented either by the party interested, or his recognized agent, or by a pleader appointed by either of them in conformity with the rules contained in Regulation II. A. D. 1827 Section LI. but it is hereby explained, that persons acting in behalf of parties who are under age or insane are to be considered as principals.

Or their recognized agents or Pleaders,

The representatives of minors and insane persons being principals.

Clause

A. D. 1827. REGULATION III.

Clause 2d.—First. The recognized agents of parties from whom such pleadings and applications may be received are, 1st, persons holding general powers of attorney from parties not within the Jurisdiction.

Recognized agent of a non-resident constituted by general Vakalutnama,

Second. Persons carrying on trade in the name of parties not within the Jurisdiction, such as Monims, Gomashtehs &c. but in matters connected with such trade only.

Or by trading in such non-resident's name, in regard to such trade.

Third. The head or managing Gomashtehs of traders within the Jurisdiction, but in matters connected with such trade only, and on filing a power of attorney for the particular occasion.

Head Gomashtehs are agents for their employers in matters of trade on filing a special Vakalutnama.

Fourth. Persons being ex-officio, or otherwise, authorized to act for Government in the matter to which the suit or proceeding relates.

Also authorized agents of Government for the special purpose.

And *Fifth,* whenever any sovereign Prince or an independent chieftain, whether residing within the British territories or elsewhere, may have occasion to prosecute or defend a suit in any Court of Civil Judicature, but is unwilling to appear as Plaintiff or Defendant in such suit, it shall be competent to the Governor in Council to prosecute or defend it in his behalf through the medium of any person specially appointed for the purpose by the authority of an order of Government.

In which way Princes and Chieftains may be represented.

Clause 3d.—When plaints or arbitration papers are received by a commissioner for transmission to the Judge as authorized by Regulation IV. A. D. 1827 Section II. Clause 2d, and Regulation VII. A. D. 1827, Section VIII. Clause 3d, the attendance either of parties or Pleaders before the Judge may be dispensed with, unless for good cause the Judge shall otherwise direct.

When applications are forwarded by a Commissioner the party need not attend in Court personally or by Vakeel,

Except in particular cases.

REGULATION III. A. D. 1827.

CHAPTER II.

OF THE MINUTES OF PROCEEDINGS.

All Courts to keep minutes.

SECTION IV.—All Courts of Civil Judicature shall keep minutes of their proceedings, in which the proceedings of each day shall be entered.

The Suddur Dewannee Adawlut in English,

And other Courts in the language of the Country.

SECTION V.—The minutes of the proceedings of the Suddur Dewannee Adawlut shall be in English, and those of all other Courts of Civil Justice in the language respectively of the country in which each Court sits.

What officer to be employed in keeping the minutes

Of the several Courts.

SECTION VI.—The minutes of the proceedings of the Suddur Dewannee Adawlut shall be kept by the Register or Assistant Register, those of the Courts of the Zilla Judge, Senior Assistant Judge, and Junior Assistant Judge by the Serishtadar of each Court respectively, and those of the Commissioner's Courts by the Commissioner or such other person as he may employ.

Suits how referred to and recorded.

SECTION VII.—Each suit shall be referred to in the minutes of proceedings by its particular number on the file, and all pleadings or other written documents shall be numbered as they occur in the suit or other proceedings; those presented to the Court being preserved at length on the record, and referred to by numbers in the minutes; and those issuing from the Court, if not preserved at length as above specified, being entered at length on the minutes, which shall further contain a full exposition of the Grounds of the Decree.

And the minute books how arranged and authenticated.

SECTION VIII—Each page of the minute Book shall be numbered in regular order, and the proceedings of each day shall be subscribed in the Suddur Dewannee Adawlut by the Register or his assistant and in every other Court by the Judge of the Court.

A. D. 1827. REGULATION III.

CHAPTER III.

OF THE SEALING, SIGNING, AND LANGUAGE OF PROCESS.

SECTION IX.—*Clause* 1*st.*—All ordinary process of the Suddur Dewannee Adawlut, such as summonses, notices, orders, Proclamations &c. shall issue under the seal of the Court, and the signature, either of the Judge or Judges of the Court, or of the Register or Assistant Register, but all Decrees, commissions, or other writings of an extraordinary nature issuing from the Suddur Dewannee Adawlut, shall bear the seal of the Court and shall be signed by the Judge or Judges, and all processes whatever issuing from the Court of the Zilla Judge shall bear the seal of the Court, and the signature of the Judge, or in his absence, of one of his Assistants.

Signing and sealing of judicial process how regulated when issuing from the Suddur Dewannee Adawlut,

The Zilla Court,

Clause 2*d.*—All process, orders, and decrees of the Court of an Assistant Judge shall bear the seal of the Zilla Court, and the signature of the Assistant Judge.

The Assistant Judge's Court,

Clause 3*d.*—All process, orders, and Decrees of the Court of a Commissioner shall bear his seal and signature.

Or that of the Commissioners.

SECTION X.—*Clause* 1*st.*—All process, orders, Sentences, and Decrees of any Zilla or inferior Court, shall be in the language and character used in the Court.

Language to be used in the process of the Zilla and inferior Courts,

Clause 2*d.*—But the ordinary process of the Suddur Dewannee Adawlut, shall be in the language and character used in the suit, or proceeding, to which such process relates.

And of the Suddur Dewannee Adawlut on ordinary,

SECTION XI.—The provisions contained in the preceding Section shall not apply to orders, precepts, warrants, or other process addressed by the Suddur Dewannee Adawlut to a Zilla Judge, which shall be in English; nor to Decrees of that Court, which shall also be in English, but shall have annexed to them a translation into the language used in the suit.

And special occasions.

REGULATION III. A. D. 1827.

CHAPTER IV.

OF GRANTING COPIES OF PAPERS.

Authentical copies of decrees to be obtained by parties on verbal, And of all other papers on written application,

SECTION XII.—*Clause 1st.*—Either party shall be entitled on verbal application to an authenticated copy of the decree, and on application in writing to an authenticated copy of any pleading, summons, order of Court, Return, Deposition, Exhibit, and generally (with the exception of the Court's Minute Book) of every document produced and used in a suit, or other proceeding of a Civil nature.

So far as they relate to the Suit.

Clause 2d.—But where an Exhibit, produced by one party contains matter not relating to the suit, the other party shall be entitled only to Extracts of such parts thereof as do relate to the suit.

The stamped paper to be furnished by the applicant, A receipt being passed,

Clause 3d.—The stamped paper required for the copy shall be furnished by the applicant at the time of application, and a receipt for the same, stating the period when the paper was furnished, shall be given by the proper Officer; the copy shall be prepared by the Officers of the Court, and shall be authenticated either by the Judge or by some covenanted servant being an Officer of the Court, but in the Court of a Commissioner the copy shall be authenticated by the Commissioner.

And the copy to be duly authenticated,

And delivered within ten days or the delay explained.

Clause 4th.—Authenticated copies of papers shall always be furnished within ten days after application, unless further delay is unavoidable, in which case the cause thereof shall be stated on the minutes of proceedings.

Parties may make copies of Papers.

But without removing the originals. And they shall not be authenticated.

Clause 5th.—Parties shall be permitted on application to the Court, to make copies of papers for their own use, and at their own expense, but the original papers shall not be removed from the Office of the Record-keeper for the purpose, nor shall such copies be authenticated by any public Officer.

SECTION

A. D. 1827. REGULATION III.

Persons in general how enabled to procure copies of papers in Courts.

SECTION XIII.—Any person (not being a party) who is desirous of obtaining a copy of a paper in any suit, either pending, or decided, shall make application to the Sudur Dewannee Adawlut, if the paper required is in that Court, and in all other cases to the Zilla Judge, stating the object for which the copy is required, and the Court shall either grant or refuse the application as may seem just.

APPENDIX A.

LIST of Days, besides Sundays, when Courts in which Europeans preside, are closed.

1 New Year's Day..... 1st January.
1 Good Friday.
1 Nativity of Christ..... 25th December.
1 The King's Birth Day.

APPENDIX B.

LIST of General Holidays in which all Courts of Civil Justice may be closed.

HINDOO HOLIDAYS.

1 Narulee Poornim..... 15th Shravan Sood.
1 Gunesh Chuloortee..... 4th Bhadrapood Shood.
1 Dussera..... 10th Ashwin Shood.
4 Dewallee.. 13, 14, and 15, of Ashwin Vud and 1st Kartik Sood.
5 Holee..... 12, 13, 14, and 15, of Phalgoon Sood and 1st of Phalgoon Vud.

MUSSULMEN HOLIDAYS.

1 Mohurrum..... 10th Mohurrum.
1 Conclusion of the Fast..... 1st Shuval.
1 Eed Koorban..... 10th of Zilheej.

(Branch of Civil Judicature.)

A. D. 1827. REGULATION IV.

A REGULATION *prescribing the forms of proceeding of the Courts of Law in Civil Suits and Appeals, and rules for the trial of the same*:—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummady-ool-Akhir* 1242 *of the Hijree.*

Consisting of twenty three (23) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Preliminary explanations of the effect of certain terms when used in this Regulation.*	I.
II.	*Of the mode of instituting suits.*	II.
III.	*Of process for summoning and arresting defendants, and for sequestrating their property*.....	V.
IV.	*Of the continuation and completion of the pleadings*.....	XII.
V.	*Of withdrawing suits*.....	XVIII.
VI.	*Of fixing the time of trial, of defaults, of trial, and of the law to be followed*.....	XIX.
VII.	*Of exhibits*.....	XXIX.
VIII.	*Of commissions for ascertaining facts depending upon local circumstances*.....	XXXI.
IX.	*Of witnesses*.....	XXXII.
X.	*Of notice to be given to coheirs interested in suits, which have been instituted without their participation*.....	XLVI.
XI.	*Of contempts*.....	XLVIII.
XII.	*Of costs*.....	LVII.
XIII.	*Of enforcing security bonds taken in suits*.....	LIX.
XIV.	*Of the decree and its enforcement*.....	LX.
XV.	*Of the revision of original decrees*.	LXXI.
XVI.	*Of the admission, and rejection of Appeals*.....	LXXII.
XVII.	*Of staying and executing decrees under appeal*.....	LXXXI.
XVIII.	*Of procedure and trial in appeal.*	LXXXIII.
XIX.	*Of the decree in appeal.*	XCIV.
XX.	*Of the revision of decrees passed in appeal*.....	XCVI.
XXI.	*Of applications to the Sudder Dewannee Adawlut in incidental complaints.*	XCVII.
XXII.	*Of Special Appeals*.....	XCIX.
XXIII.	*Of Appeals to the King in Council*.....	C.

(Branch of Civil Judicature.)

REGULATION IV. A. D. 1827.

A REGULATION *prescribing the forms of proceeding of the Courts of Law in Civil Suits and Appeals, and Rules for the trial of the same.*—PASSED *by the Governor in Council, on the* 1st *January* 1827, *Corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is essential to the regular and effectual administration of justice that certain forms of proceeding should be observed in the Courts of Law, in receiving, trying, and deciding Civil Suits, and Appeals, and in enforcing execution of the Decrees that may be passed therein, the following Rules are therefore enacted, to take effect from such date as shall be prescribed in a regulation to be hereafter passed for that purpose.

CHAPTER I.

PRELIMINARY EXPLANATIONS OF THE EFFECT OF CERTAIN TERMS WHEN USED IN THIS REGULATION.

The terms "the Judge" and "the Court" in this Regulation how used.

SECTION I.—*Clause* 1*st.*—Whenever in this Regulation the term "the Judge" is used absolutely, it shall be understood as applying to the Zilla Judge only, and whenever the term "the Court" is used, it shall be understood as applying indifferently to the Court of the Judge and to any other subordinate Court.

The functions of par-

Clause 2*d.*—And whenever in provisions applicable to all Courts

REGULATION IV. A. D. 1827.

ticular officers of Courts how performed in Courts, not provided with those officers.

Courts for the trial of original suits, the functions of Officers, who are not attached to any Court subordinate to that of the Zilla, are prescribed, it is to be understood, in the absence of any specific enactment, that, in the Court of the district Commissioner, where the attendance of these Officers cannot be had, the form or duty prescribed is, according to the nature of the case, and the general instructions of the Zilla Judge, either to be dispensed with, or to be executed by the Commissioner, or some trust-worthy person under his orders, or that, with the view of obtaining the services of the proper Officer, a reference is to be made to the Zilla Judge, by whom the requisite measures will be directed.

CHAPTER II.

OF THE MODE OF INSTITUTING SUITS.

Plaints to be presented at the Suddur station to the Judge, and elsewhere to the Commissioner.

SECTION II.—*Clause* 1*st.*—All persons claiming redress by Civil action shall institute a suit by means of a plaint in writing, which shall be presented either at the Suddur station, in the Court of the Zilla Judge, or elsewhere in the Court of a district Commissioner.

Plaints presented to a Commissioner when forwarded to the Judge,

And when filed and tried by the Commissioner,

Clause 2*d.*—If the plaint presented to a district Commissioner be beyond his jurisdiction, he shall, after noting on the back of it the period of its presentation, forward it forthwith to the Zilla Judge. If it be within his Jurisdiction, he shall place it on his file, and proceed to try the suit, unless the defendant at any time previously to delivering in his rejoinder, or in lieu thereof, should present a petition requiring it to be transferred to the Zilla Judge, in which case the Commissioner shall immediately forward it, together with the defendant's petition to the Zilla Judge.

Or transferred to the Judge.

Substance of the plaint.

SECTION III.—*Clause* 1*st.*—The plaint shall state precisely the matter of complaint; if it be founded on a demand for money, its amount, if for other property, its value in money, calculating

calculating the same, when it shall consist of a periodical income, at the rate of ten years' purchase; if for damages on account of an injury sustained, the amount in money of the compensation claimed for such injury: it shall also specify the name of the person complained against, and his place of residence, if known, the time when the cause of action arose, and other particulars necessary to elucidate the question at issue.

Which must be signed by the plaintiff or his Vakeel, a Vakalutnama accompanying.

Clause 2*d.*—The plaint shall be signed by the plaintiff or by his recognized agent or authorized Vakeel, and, when a Vakalutnama is requisite under the Regulations, it shall accompany the plaint.

Plaints how numbered and dated,

SECTION IV.—*Clause* 1*st.*—The plaints shall be numbered and dated by indorsement in the order in which they are received, and such indorsement, if the plaint is filed at the Suddur station, shall be signed by the Judge, or, under his direction, by one of the Assistant Judges, and, if it is filed by a district Commissioner, the indorsement shall be signed by the Commissioner himself.

And registered,

Clause 2*d.*—The plaint after being so marked, shall be entered in a Register to be kept according to the Form contained in Appendix A.

At the Suddur Station and in the districts.

Clause 3*d.*—This Register shall be kept at the Suddur station by the Serishtadar, and at the Court of a district Commissioner by the Commissioner.

And when transmitted from the districts to the Suddur station.

Clause 4*th.*—The plaints transmitted by each Commissioner shall on the receipt of the requisite returns, which the Commissioner may be ordered to furnish under Section XLIV. Reg. II. A. D. 1827, be brought upon the Register at the Suddur Station in the order as far as may be practicable, in which they were presented to the Commissioner, and shall be numbered anew

anew as their place in the Register at the Suddur Station may require.

Priority to depend upon the period of original presentation.

Clause 5th.—When any dispute arises regarding the priority of plaints the question shall be decided according to the date of the original presentation, whether in the Zilla Court or in that of the Commissioner.

CHAPTER III.

OF PROCESS FOR SUMMONING AND ARRESTING DEFENDANTS, AND FOR SEQUESTRATING THEIR PROPERTY.

Defendant how called upon to answer.

SECTION V.—*Clause 1st.*—When the plaint is filed, a Summons shall issue directed to the Defendant according to the form contained in Appendix B. requiring the Defendant to appear and answer to the Complaint within a specified period, to be in no case less than one day, nor more than 25 days from the date of the serving of the Summons; the Summons shall be served personally upon the Defendant, if he can be found.

Special mode when the Defendant is a public officer in charge of a Department.

Clause 2d.—But if the suit be against a Collector of the land Revenue, or other Officer in charge of the interests of Government in any Department, or any Assistant to such Officer, the Judge shall transmit a copy and English translation of the plaint to the Governor in Council for his consideration, and at the expiration of (90) ninety days from transmission, or at any earlier period when he may receive intimation from Government that it has decided not to grant to the Plaintiff the redress sued for, the Judge shall forward a copy of the plaint to the officer concerned in a blank cover bearing his address, and the delivery thereof shall be held to be of the same effect as the serving of a Summons in other cases.

Serving of Summonses on Defendants how performed and attendant expenses defrayed.

Clause 3d.—Defendants shall be summoned in the same manner, and the attendant expenses shall be calculated and defrayed

ed in the same manner, as is prescribed regarding witnesses in Section XXXII Clause 3 of this Regulation.

If the defendant cannot be found public notice to be given.

SECTION VI.—*Clause 1st.*—If the Defendant after diligent search cannot be found a return to that effect shall be made, on receipt of which an order shall be issued according to the form contained in Appendix C, directing a copy of the Summons to be stuck up in some conspicuous part of the Court; with a notice according to the form contained in Appendix D, requiring the Defendant to appear.

And a copy of the Summons delivered to his family or fixed up at his place of residence.

Clause 2d.—The Court shall likewise order a Copy of the summons and of the notice to be delivered to some person belonging to the Defendant's family, and residing with him, or, if none such is found, to be fixed upon the outer door of the house, or in some conspicuous part of the Village, or other place in which the Defendant has generally resided: the attendant expenses being calculated and defrayed in the same manner as the expenses of serving Summonses.

The defendant to be allowed at least fifteen days.

Clause 3d.—The time assigned in the notice for the Defendant to appear shall not be less than fifteen days from the date of such notice.

At the expiration of the period granted, the Nazir to make his return.

Clause 4th.—The Nazir, on the expiration of the period, or the appearance of the Defendant, shall return the order with an indorsement stating at what times and places, and in what manner it was executed.

The Plaintiff may make application, that the defendant's security for his appearance be taken.

SECTION VII.—*Clause 1st.*—If a Plaintiff (or his Vakeel acting on his behalf) at any time before the passing of the Decree has reason to believe that the Defendant intends to leave the jurisdiction, so as to prevent the execution of the Decree, he may present an application in writing to the Court to demand security for the appearance of the Defendant.

Clause

REGULATION IV. A. D. 1827.

Application how to be made.

Clause 2d.—The application shall specify the applicant's belief that it is the Defendant's intention to leave the jurisdiction, and the grounds of such belief.

Under certain circumstances, the Court may take the Defendant's Security.

Clause 3d.—The Court may at its discretion cause the applicant to verify his application on oath, and, if after the investigation made, it shall be of opinion that the Defendant actually intends leaving the jurisdiction, shall issue a warrant (according to the form contained in Appendix E) to the Nazir, enjoining him to bring the Defendant before the Court, unless he furnish Security (according to the form contained in Appendix F) to the extent specified in the said order for his appearance to fulfil the decree in the Suit, the Security undertaking, in default of such appearance, to fulfil in his place whatever order or decree may be passed in the Suit.

But shall accept an adequate deposit in lieu thereof,

Clause 4th.—Should a Defendant when brought before the Court, offer in lieu of security for appearance, to deposit a sum of money or other valuable property evidently sufficient to answer the Claim against him, with the Costs of the suit, it shall be competent to the Court to accept such deposit, which shall be subject to the rules provided in Section VIII Clauses 6,7, & 8, on the subject of property sequestrated before judgment.

Securities, if they do not deliver up the defendant, are answerable for his appearance until the execution of the Decree.

Clause 5th.—The Securities for the personal appearance of the Defendant may at any time relieve themselves from their engagements as sureties, by delivering up the person of the Defendant to the Court, but they shall otherwise be held to be responsible for the appearance of the Defendant until the decree has been fully executed.

A defendant not furnishing security shall be imprisoned. The suit being heard as soon as possible.

Clause 6th.—In the event of the Defendant, neither furnishing security nor offering a sufficient deposit, he shall be committed to custody until the Decree shall have been passed; but in all such cases the suit upon application of the Defendant, may

be

be heard, and determined, as soon after the pleadings are completed as circumstances will permit, without regard to the order in which it stands upon the file.

In the districts, he may be detained at the commissioner's Kuchery, unless he is insecure there or prefers being sent to the Suddur Station.

Clause 7th.—A district commissioner may detain at his Kuchery a Defendant, who has failed when called upon to furnish security, but, if there should be any doubt of his safe custody, or, if the Defendant should himself desire his removal, he shall forward him to the Suddur station for detention: the suit shall at the same time be transmitted to the Judge, and notice thereof shall be given to the Plaintiff.

Defendants in jail to be subsisted by the plaintiffs. Who shall not recover their expences.

The imprisonment also shall not operate in favor of the defendant.

Clause 8th.—A Defendant in custody at the instance of a Plaintiff shall be subsisted in the same way, and under the same rules as a debtor on whom judgment has been passed, except that the amount of the subsistence money shall not be repaid to the Plaintiff; and it is hereby explained, that the period of a Defendant's imprisonment before judgment shall not be deducted from that to which he may become liable in execution of the Decree.

In certain cases the plaintiff may apply for the defendant's security to keep at the disposal of the Court property for the satisfaction of the Decree.

SECTION VIII.—*Clause 1st.*—If a Plaintiff or his authorized Vakeel at any time before the passing of the Decree, has reason to believe, that the Defendant intends clandestinely to dispose of his property or any part thereof, or to remove any such property from the jurisdiction, by which means the execution of the decree will be obstructed, he may make application that the Defendant be called upon to furnish sufficient security to produce the said property or a part thereof sufficient to fulfil the Decree when required, or otherwise that the Court do hold it under sequestration until the Decree has been passed and executed.

Application to whom to be made.

Clause 2d.—The application may be made to the Zilla Judge in all cases, and to an Assistant Judge, in case the suit

is in his Court for trial, but may not be preferred to a Commissioner.

How to be made and what to contain.

Clause 3d.—The application shall be on oath and shall specify the amount or value sued for, the property required to be sequestered, the supposed value of each article thereof, and the applicant's belief that the Defendant intends so to dispose of or remove it.

In certain cases the security may be demanded.

Clause 4th.—If on investigation the Judge or Assistant Judge, as the case may be, shall be fully satisfied that the Defendant intends to dispose of or remove his property, so as to obstruct the execution of the Decree, he shall, on the Plaintiff in person or by Vakeel passing a bond rendering himself liable in such sum as may be judged adequate, for all unnecessary injury arising from the sequestration before judgment, in consequence of his demand being eventually disallowed either wholly or in part, issue to the Nazir or other person who may be charged with the duty an order according to the form contained in Appendix G, commanding him to require security from the Defendant according to the form contained in Appendix H, in such sum as the order may specify, to produce and place at the Court's disposal, when required, the said property, or a portion thereof sufficient to fulfil the Decree.

The plaintiff rendering himself liable for all needless hardships and expenses.

If security demanded is not furnished property to be attached and sequestrated.

Clause 5th.—The order shall further command, that, if such Security is not furnished forthwith, or within such time as the order may direct, the Nazir shall attach and keep under sequestration until further order the property therein specified, or a part thereof sufficient to fulfil the Decree.

Managers may be appointed for sequestrated property.

Clause 6th.—Whenever property is taken possession of by the Nazir under an order of Court, by virtue of the provisions of the preceding Clause, the Judge, if he deems it conducive

ducive to the advantage of the persons who may eventually have an interest in the property, shall appoint a person to manage it until further order of Court.

upon their furnishing security,

Clause 7th.—But in such cases the manager so appointed shall give security in such sum as the Judge may direct for the faithful discharge of his trust, and for delivering up the property when required by the Court with a full account of his receipts and disbursements, and with such profits as may have accrued, during the period of his management.

and may eventually be duly remunerated.

Clause 8th.—And at the expiration of his trust the Judge, if applied to, shall award such sum as he may deem a just remuneration for his trouble, but subject to modification by the Suddur Dewannee Adawlut on the complaint of any person interested.

immoveable property may instead of being seized be declared inalienable by proclamation,

Clause 9th—It shall be in the option of the Court, if such measure shall appear to be adequate to the ends of justice, to direct the Nazir, in lieu of assuming possession of immoveable property, to give public notice by proclamation (according to the form contained in Appendix I) prohibiting all persons from receiving by purchase, gift, mortgage, or otherwise, such immoveable property to the injury of the plaintiff.

to be made in the most effectual way.

Clause 10th.—The proclamation shall be read aloud in the most public part of the town or village within the limits of which the property is situated; and copies thereof shall be fixed up in a conspicuous part of the Zilla Court, in the Collector's Kuchery, in the public market of the town or village, and in such other places as the order may direct.

no subsequent transaction to affect the plaintiff's claim.

Clause 11th.—No purchase, gift, mortgage or other transfer, made after such proclamation, shall be effectual to alienate the property, or any part thereof to the injury of the plaintiff.

REGULATION IV. A. D. 1827.

Sequestrations may be removed when security is furnished,

SECTION IX.—*Clause 1st.*—In all cases of sequestration before judgment, the authority who passed the order for the sequestration shall at any time remove the same on the defendant's furnishing security as above required.

and the suit shall be heard and decided as soon as possible.

Clause 2d.—And the suit upon application of the defendant may be heard and determined, after the pleadings are completed, as soon as circumstances will permit, without regard to the order in which it may stand upon the file.

Compensation may be decreed for needless sequestration.

SECTION X.—If on the subsequent trial of the suit it shall be discovered that the sequestration was applied for on insufficient grounds, or if the plaintiff's claim is disallowed either wholly or in part, the Court shall (unless the defendant shall in preference seek redress by a civil action for damages) award against the plaintiff in its decree the whole of the amount specified in his penalty bond, or such part thereof as it may deem a reasonable compensation to the defendant for the expence or injury causelessly occasioned to him by the plaintiff, and further, where the sequestration shall appear to have been applied for wantonly or vexatiously, it shall be competent to the Court to impose a fine on the plaintiff upon the principle of the rules contained in Section LIII and LIV of this Regulation.

Sequestration no bar to the rights of persons not concerned nor to the sale of property under a decree,

SECTION XI.—*Clause 1st.*—Sequestrations before judgment shall not injure the rights of persons not parties to the suit, nor bar a creditor having a decree against the defendant from attaching the property under sequestration.

unless other property is pointed out for sale.

Clause 2d.—But if the party at whose instance the property was sequestrated points out other property of the defendant unattached, the creditor shall be bound in the first instance to attach and sell such property in execution of his decree, before selling the property under sequestration.

A. D. 1827. REGULATION IV.

CHAPTER IV.

OF THE CONTINUATION AND COMPLETION OF THE PLEADINGS.

Defendant appearing may require the plaintiff's security if the plaintiff does not reside within the zilla,

and defendant need not answer until such security is given.

SECTION XII.—If the defendant appears and represents to the Court that the plaintiff does not reside within the zilla, the Court on being satisfied of the fact, shall require the plaintiff to find security by the bond of some responsible person residing within the zilla, (according to the form contained in Appendix J) that he will pay all costs that may be awarded against him, and obey all orders of Court that may be passed, both in the original trial of the suit, and on appeal, and until such security bond is filed, of which notice shall be given to the defendant, he shall not be bound to answer.

Defendant's answer when to be filed and what to contain,

SECTION XIII.—As soon as a defendant appears, he shall have access to the plaint, for the purpose of providing himself with a copy thereof and of any papers by which it may be accompanied, and he shall file a written answer containing the whole of the grounds of his defence, within eight days after he has been allowed access to the plaint, or, if the plaintiff has been called upon to furnish security under the provisions of the preceding section, within eight days after receiving notice from the Court, that the plaintiff's security bond has been filed.

to be shewn to the plaintiff and the suit set down for hearing,

unless the plaintiff should wish to file a reply;

such reply when to be made,

SECTION XIV—*Clause 1st.*—When the answer is filed, the plaintiff shall have access to it, for the purpose of providing himself with a copy thereof, and of any papers by which it may be accompanied, and the suit shall then be considered as completed, and shall be set down for hearing, unless the plaintiff should verbally apply to the Court for leave to file a reply; and such reply, if the Court should allow it to be made, shall be filed by the plaintiff within three days after he has been allowed access to the answer.

its substance.

Clause 2d.—The reply shall simply acknowledge the truth of

of the answer, or deny either wholly or in part the assertions contained in it, offering such explanations as may be necessary, but the plaintiff shall not be permitted to introduce in his reply any new matter that may not be required to explain facts stated for the first time in the defendant's answer.

Defendant's rejoinder when to be filed,

SECTION XV.—*Clause 1st.*—When the reply is filed, the defendant shall be allowed access to it, for the purposes of providing himself with a copy thereof, and of any papers by which it may be accompanied, and, if he have any rejoinder to make, he shall file the same in writing within three days after he has been allowed access to the reply.

its substance.

Clause 2d.—The rejoinder shall be subject to the same rules as the reply, in regard to its contents, and, when it is filed, the plaintiff shall have access to it for the purpose of providing himself with a copy of it and of any papers by which it may be accompanied.

Defendants in the same suit may plead separately.

SECTION XVI.—When there are two or more defendants in the same suit, they shall have the option of entering their pleadings separately.

Parties may decline to file pleadings,

SECTION XVII.—*Clause 1st.*—Either party in a suit may wave his right of filing any of the pleadings mentioned in this chapter, without prejudice to the progress of the suit.

and the Court for good cause may admit supplemental pleadings.

Clause 2d.—And, if either of the parties shall have omitted to state in the regular pleadings any thing of material importance to his interest in the suit, it shall be competent to the Court, to admit of supplemental pleadings at its discretion, and to fix the respective periods for the filing of the same.

A. D. 1827. REGULATION IV.

CHAPTER V.

OF WITHDRAWING SUITS.

SECTION XVIII.—*Clause* 1*st.*—It shall be competent to the plaintiff at any stage of a suit to withdraw the complaint, by filing an acquittance in writing (Razeenama) in which case he shall become liable for the costs of both parties.

The plaintiff may withdraw his suit,

but he becomes liable for costs.

Clause 2*d.*—Such acquittance shall not bar any action for damages competent to the defendant, nor prejudice his rights in any respect.

The defendant may sue him for damages,

Clause 3*d.*—Nor shall it bar the Court from imposing a fine upon the plaintiff in conformity with the rules contained in sections LIII and LIV of this Regulation.

and the Court may fine him if his suit was groundless or vexatious.

CHAPTER VI.

OF FIXING THE TIME OF TRIAL, OF DEFAULTS, OF TRIAL, AND OF THE LAW TO BE FOLLOWED.

SECTION XIX.—*Clause* 1*st.*—The Court shall cause a suit to be set down for hearing, if a defendant, who has been duly summoned, does not appear either personally or by vakeel at the time fixed.

A suit to be declared ready for hearing if the defendant fails to appear at the time fixed,

Clause 2*d.*—Or if the pleadings are completed, or either party neglects to file any of his pleadings at the time fixed, and the Court sees no good cause for granting a longer period—provided however, that it shall be competent to the Court to receive any pleading after the time fixed for its being filed, even if the suit shall have been set down for hearing, upon sufficient cause being shewn for the delay.

or if the pleadings are completed or not duly filed,

without good cause shewn.

SECTION XX.—*Clause* 1*st.*—The suits set down for hearing shall be tried in the order in which they were filed, except when the

Order of trial.

the Court, on application from either party or otherwise, may think proper for special reason to deviate from such order.

Eight days' notice to be given to the parties,

unless they wish it otherwise.

Clause 2d.—The time for the commencement of the trial of a suit shall be appointed by the Court, and verbal intimation thereof shall be given to the party or parties in attendance either personally or by vakeel; the time of trial shall not be less than eight days after such intimation, except with the expressed consent of both parties.

Lists of suits appointed for trial to be fixed up in the Court.

Clause 3d.—The Serishtadar, or in the Court of a commissioner, the commissioner, shall from time to time make lists of the suits for the trial of which a day has been appointed, which shall be fixed up in some conspicuous part of the Court room, at least seven days before the trial of such suits.

If the plaintiff is absent, the suit may be struck off, and payment of the defendant's expenses ordered and enforced:

SECTION XXI.—*Clause 1st.*—If at the time fixed for the commencement of the trial, the plaintiff fails to appear, the Court shall strike the suit off the file, and, on application to that effect by the defendant, shall pass an order rendering the plaintiff liable for the defendant's expenses in the suit, which order shall be enforced in the same manner as a decree.

but a suit struck off, may under certain circumstances be replaced:

Clause 2d—A suit struck off the file may be replaced, provided the plaintiff shall within ten days make a written application to that effect, to the Court by which it was to have been tried, and shew just and reasonable cause to the Court's satisfaction, for the default which was made.

if the application to replace it be rejected, an appeal may be made against such order of rejection:

Clause 3d.—If the application be rejected, a further application may be made to the Court to which an appeal in the suit would be competent, and the order of such Court shall be final; but such application, if to the Zilla Judge, shall be made within ten days, and if to the Suddur Dewannee Adawlut, within forty five days, from the date of the rejection of the application by the lower Court.

Clause

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When a suit is struck off, a new action may be filed.

Clause 4th.—When a suit is struck off the file, the plaintiff shall be at liberty to file a new suit upon the same grounds of action, and the date of the last proceeding, by which the order striking the former suit off the file was rendered final, shall be reckoned as the date on which the suit was struck off.

If the plaintiff only appears, the suit to be tried ex-parte,

SECTION XXII.—*Clause 1st.*—If at the time fixed for the commencement of the trial, the plaintiff appears, and the defendant is absent, the Court, unless it should see good cause for allowing of further delay, shall, after investigating the cause of the plaintiff, and examining his exhibits and witnesses, pass judgment according to the proof adduced by the plaintiff.

and the Court may take the plaintiff's oath.

Clause 2d.—In such cases, it shall be competent to the Court, if it sees cause, to receive the oath of the plaintiff, as evidence in support of the allegations contained in the plaint.

When both parties appear the grounds of the suit to be clearly ascertained,

SECTION XXIII.—*Clause 1st.*—When both parties appear at the time of trial, the Court shall cause the pleadings to be read, and, if the points at issue are not therein clearly described, or from any other cause further explanations may be requisite, the Court shall make such inquiries from the parties as may appear necessary with a view to ascertain the precise object of the action, and the grounds on which it is maintained, and shall record the result on its proceedings.

and the evidence adduced received and weighed,

Clause 2d.—The points to be established by the parties respectively having thus been defined and ascertained, the Court shall proceed to receive and weigh the evidence adduced.

Courts in which Europeans preside may derive assistance from respectable natives by employing them as a punchaet,

SECTION XXIV.—*Clause 1st.*—In the trial of suits it shall be competent to every Court, in which an European authority presides, to avail itself of the assistance of respectable natives in either of the three following ways; *First*, by referring the suit or any point or points in the same to a punchaet of such

persons,

persons, who will carry on their inquiries apart from the Court, and report to it the result; the reference to the punchaet and its answer shall be in writing, and shall be filed in the suit:

or as assessors,

Clause 2d.—Or, *Second*, by constituting two or more such persons assessors or members of the Court, with a view to the advantages derivable from their observations, particularly in the examination of witnesses: the opinion of each assessor shall be given separately and discussed, and, if any of the assessors or the authority presiding in the Court should desire it, the opinions of the assessors shall be recorded in writing in the suit:

or more nearly as a jury,

Clause 3d.—Or, *Third*, by employing them more nearly as a jury: they will then attend during the trial of the suit, will suggest as it proceeds such points of inquiry as occur to them, the Court, if no objection exists, using every endeavour to procure the required information, and after consultation will deliver in their opinion.

but without controlling the Court's decision.

Clause 4th.—It is to be clearly understood, that under all the modes of procedure described in the three preceding clauses the decision is vested exclusively in the authority presiding in the Court.

When a decree has been passed there can be no further trial.

SECTION XXV.—When judgment has been given in a suit either for the plaintiff or the defendant, no new suit upon the same grounds of action shall be competent, and the suit shall be further heard only by way of appeal or review under the rules prescribed by the Regulations.

The law to be followed by the Courts to be acts of parliament, regulations of Government, custom of the country, law of the defendant,

SECTION XXVI.—The law to be observed in the trial of suits shall be Acts of Parliament and Regulations of Government applicable to the case; in the absence of such Acts and Regulations, the usage of the country in which the suit arose; if none such appears, the law of the defendant, and in the absence

of

of specific law and usage, justice, equity and good conscience alone.

and justice.

SECTION XXVII.—*Clause* 1*st*.—When in any matter depending on the peculiarities of Hindoo or Mohumudan law a doubt arises regarding such law, the Court in aid of its judgment shall consult the officer or officers appointed to expound those laws respectively in the manner prescribed in Regulation II A. D. 1827 Section XIII Clause 3d.

Hindoo and Mahumudan law how ascertained:

Clause 2*d*.—When in any matter depending on the peculiarities of any other law, or of a rule or usage of a sect or caste, a doubt arises regarding such law, rule or usage, the Court shall ascertain the same by examining persons versed in such law or the heads of such sect or caste or other well-informed persons.

other laws how ascertained.

SECTION XXVIII.—*Clause* 1*st*.—If one of the parties should refer the truth of the whole matter in dispute, or of any item in the same, or of any material fact, to the oath of the other party, the judgment of the Court shall be governed by the oath of such party, if he consent to take the oath, whether admitting or denying the matter so referred to him.

At the request of the opponent the Court may take the oath of either party,

and such oath shall be conclusive,

Clause 2*d*.—If each party refer the same matter to the oath of the other, the Court shall decide, to which of them the oath is to be first tendered.

the Court deciding in case of dispute to whom it shall be first tendered.

CHAPTER VII.

OF EXHIBITS.

SECTION XXIX.—*Clause* 1*st*.—All exhibits produced by the parties shall be received and inspected by the Court, but it shall be competent to the Court, after inspection, to reject any exhibit, which it may pronounce to be irrelevant, or on other grounds inadmissible.

The Court to inspect all exhibits produced but to reject such as are inadmissible,

Clause

Returning them to the party who produced them.

Clause 2d.—When an exhibit is rejected, it shall be endorsed with the number and title of the suit, the name of the party producing it, and the word "rejected," which endorsement shall be subscribed by the Court, and the exhibit shall be returned to the party who produced it.

When the time for appealing has elapsed exhibits to be restored,

unless good reasons exist to the contrary.

SECTION XXX.—*Clause 1st.*—When the time limited for appealing has elapsed, either party shall be entitled on application to receive back any exhibit produced by him in the suit, unless the further use of such exhibit has been superseded by the terms of the decree, or the Court has directed it to be detained for purposes of public justice, as on suspicion of forgery.

Exhibits may be restored at any time for good reasons,

Clause 2d.—But any exhibit may be restored before such time has elapsed, by order of the Zilla Judge granted for special reasons.

a copy being retained,

Clause 3d.—Whenever any exhibit is restored, a copy authenticated by the Senior Assistant Judge, or other covenanted servant being an officer of Court, shall be substituted for it in the suit, and a receipt be granted by the party receiving it either on the margin of the minutes of proceedings, where the filing of the exhibit is entered, or in a separate receipt book to be kept for the purpose.

and the party's receipt taken.

CHAPTER VIII.

OF COMMISSIONS FOR ASCERTAINING FACTS DEPENDING UPON LOCAL CIRCUMSTANCES.

Under certain circumstances the Court may direct a local investigation by a commissioner,

SECTION XXXI.—*Clause 1st.*—When a question depending on local circumstances, such as the boundaries or extent of lands, or the direction of water courses, occurs in a suit, the Judge may by an order of Court commission an Assistant Judge, one or more commissioners, district or village officers,

cers, or any other fit person or persons, to repair to the spot and make the necessary investigation.

who shall make personal inspection,

Clause 2d.—The commissioner shall carefully inspect the lands, water courses, or other subject in dispute, and, if so directed, shall also take on the spot the depositions of the requisite witnesses, after which he shall make a report of his proceedings to the Court in writing with his opinion on the matters committed to his investigation, accompanying such report with the depositions of witnesses if any have been taken.

and report his proceedings:

and if not a sworn officer shall take an oath.

Clause 3d.—The commissioner, if not a sworn officer of Court, shall depose on oath before the Judge, or other person having authority to administer an oath, that his report has been truly and honestly made, which oath shall be subjoined or annexed to his report.

The parties to attend at the investigation,

Clause 4th.—Both parties shall have notice to enable them to attend the Commission during the investigation.

at the conclusion of which the commissioner may be remunerated.

Clause 5th.—When a person has been employed in a local investigation under a special Commission, the Judge, if applied to by him, may award such sum for his trouble as he may deem reasonable.

CHAPTER IX.

OF WITNESSES.

Each party to produce his witnesses,

SECTION XXXII.—*Clause 1st.*—If either of the parties is desirous of examining a witness, he shall bring such witness into Court on the day of trial.

or to apply in time to the Court which will issue a summons.

Clause 2d.—But if he requires the assistance of the Court to procure the attendance of a witness, he shall apply in due time to the Court, which shall issue a summons (according

to

to the form contained in Appendix K) requiring him to attend.

To be served by a peon whose expenses shall be duly regulated,

Clause 3d.—The summons shall be served by a badged peon, and the Nazir's return endorsed upon the summons shall specify the name of the peon who served it, the date when it was served, and the charges of serving it: the charges shall be calculated according to the customary rate of travelling charges in the country, but shall in no case exceed four annas per day, and the day's journey shall in no case be reckoned at less than ten miles, the amount shall be included in the costs of suit, but shall be defrayed in the first instance by the party at whose application the summons was issued, and shall be levied, if necessary, in the same manner as witnesses' expenses.

and shall be included in the costs, but shall be paid in the first instance by the party requiring the summons.

The Court may in certain cases substitute a sealed letter which shall be equivalent to a summons.

Clause 4th.—Nothing contained in Clauses 2d and 3d of this Section shall be construed to prevent the Court from substituting for a summons a sealed letter, when the person whose presence is required is of a rank or class in society which may seem to entitle him to such mark of consideration: in such case the letter shall be deemed a summons, and a copy thereof shall be preserved in the suit and shall bear the Nazir's endorsement.

A witness not attending on a summons,

Clause 5th.—If a witness on whom a summons has been served shall not appear at the time therein appointed, the Court, if applied to verbally by the party at whose instance he was summoned, may, according to the circumstances of the case, proceed to obtain his evidence without his attendance in Court,

may be summoned again or arrested.

or issue a second summons, or direct the Nazir by warrant (in the form contained in Appendix L), to apprehend the witness and bring him before the Court.

All persons competent witnesses except insane persons and minors.

SECTION XXXIII.—*Clause 1st.*—All persons shall be competent witnesses, who have arrived at years of discretion and are of sane mind.

Clause

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Clause 2d.—But either party may object to the examination of a witness, on the ground of his having been convicted of a crime rendering him unworthy of credit, of his being related to the other party, of his being at violent enmity with the party objecting, or of his being interested in the event of the suit; and the objection, if the fact alleged is admitted to be true, or is otherwise substantiated, shall be entered in the minutes of proceedings; but the Court may notwithstanding receive the evidence of such witness, if it shall seem conducive to the ends of justice.

But objections to the examination may be made,

and if substantiated shall be recorded, though the examination may if requisite proceed.

SECTION XXXIV.—*Clause 1st.*—Before a witness gives evidence, the Court shall admonish him in the following or similar words; "*Be careful that you tell to the Court the whole truth and nothing but the truth in the matters on which you are now to be examined, or otherwise you will be liable to punishment as a false witness.*"

A witness before examination shall be admonished.

Clause 2d.—A witness who, after being so admonished wilfully gives false evidence before the Court, shall be deemed to have committed perjury, and shall be liable to punishment accordingly.

and if he gives false evidence will be punished as for perjury:

Clause 3d.—It shall always be competent to the Court, if it deems it expedient, to cause to be administered to a witness such oath as may be considered most binding on his conscience.

but the Court may administer any oath which it deems fit.

Clause 4th.—If it appears to the Court that a witness in giving his evidence has committed perjury, it shall transfer him (with all relevant evidence) to the Criminal Judge to be dealt with according to law.

A perjured witness to be proceeded against criminally.

SECTION XXX.—*Clause 1st.*—When a witness has been judicially admonished or sworn, he shall be examined by the parties and the Court, in such order as the Court may direct.

Witnesses to be examined by the parties and the Court,

Clause

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which shall prevent improper questions.

Clause 2d.—It shall be the duty of the Court to prevent any question being put which it may consider as irrelevant, as leading the witness, or as otherwise objectionable.

The deposition to be signed by the witness and the Court, and to be in the language of the Court,

SECTION XXXVI.—*Clause 1st.*—The deposition of each witness shall be taken down in writing by the Serishtadar or other officer of Court in the language and character used in the Court, and when completed it shall be signed by the witness with his name or mark, and shall be authenticated by the Court:

if known to the witness, otherwise the language best known to him, if possible, to be used.

Clause 2d.—But if the language used in the Court is not familiarly known to the witness, his deposition shall be taken in the language best known to him for which an interpreter can be found.

If the parties desire it the evidence need not be taken down,

and on appeal the Court's notes must be deemed conclusive.

SECTION XXXVII.—If both parties in a suit should express in writing such to be their wish, the recording of the evidence and proceedings at length shall be dispensed with, and the Court's notes alone shall be preserved: if a suit so tried be appealed, the said notes shall be held to be the record of the suit, and the facts therein recorded shall be deemed to be determined, the appeal being admitted only, (so far as such facts are concerned) on the deductions drawn from them.

A witness may for good reason be examined before the trial,

both parties receiving intimation.

SECTION XXXVIII.—If a witness whose evidence is required by either party is about to leave the zilla before the time of trial, or if other good and sufficient cause should be urged, the Court, on application of the party requiring his evidence, and on being satisfied of the fact alleged, may examine such witness before the trial, notice of the time appointed for the examination being previously given to the parties.

A witness may be examined out of

SECTION XXXIX.—*Clause 1st.*—If a witness from sickness or other infirmity is unable to attend in Court, or if a female wit-

ness

ness is of a rank and caste which would render it improper to compel her to appear in public, the Court, if it deems the examination of such witness material to the cause, shall appoint one or more persons, by a special commission to take her evidence: the Court may in like manner at its discretion obtain the evidence of a man of rank without enforcing his attendance in Court.

Court if unable to attend, or if a female who is precluded from appearing in public,

or a man of rank if the Court see fit,

Clause 2d.—It is further provided that a female witness examined under the preceding clause may remain veiled or out of view during her examination, the Commissioner having satisfied himself, if necessary, by employing females or other unexceptionable persons, of her identity.

a female may further remain veiled or concealed,

her identity being ascertained.

SECTION XL.—*Clause 1st.*—If a witness, whose evidence is material to the cause, resides within the jurisdiction of another Zilla Court under the Presidency of Bombay, or in the Island of Bombay, the Judge shall, by a letter signed by himself and sealed with the seal of the Court, request, in the former instance, the Judge, in whose jurisdiction the witness resides, and in the latter instance, a Magistrate of Police, to examine such witness.

A witness out of the zilla to be examined by the Judicial authority of the place where he resides if within the Bombay Territories;

Clause 2d.—But if such witness resides at any place beyond the territories subordinate to the Presidency of Bombay, the Judge shall prepare a commission addressed to any person whom he may appoint, and shall forward it to the judicial secretary with a request that the Government will cause it to be transmitted to the Commissioner in order that the evidence may be obtained, and the Government will comply with or refuse the application as it may deem expedient.

If not, Government to procure his evidence or not as may seem expedient.

SECTION XLI.—When any of the cases specified in Section XXXIX Clause 1st occurs in a suit before a native Commissioner, he shall, if the witness resides at a convenient distance, and within the zilla, proceed to the spot, and take the evidence in person,

A commissioner to proceed himself to witnesses who cannot attend if the place be near,

and within the zilla,

person, but if the distance is such as to cause a material interruption to his business, or if the witness resides beyond the zilla, the Commissioner shall report the case to the Judge, who will, if it appears requisite, proceed as in similar cases arising in his own Court.

otherwise to report to the Judge.

Evidence taken by commission to be on interrogatories previously submitted to the Court.

SECTION XLII.—In all cases where evidence is taken by commission, such evidence shall be obtained in writing on oath, or otherwise, as may be required, by means of written interrogatories to be submitted by the parties, and approved by the Court; which interrogatories shall be returned into Court, with answers signed by the witness and countersigned by the Commissioner.

Both parties may attend and put proper questions.

SECTION XLIII.—Both parties may attend the examination of a witness before a Commissioner, of which, as far as practicable, they shall receive notice, and may put such further questions as the Commissioner may think competent.

Commissioners may be remunerated.

SECTION XLIV.—When a person has been employed in taking evidence under special commission, the Court, if applied to by him, may award such sum for his trouble as it may deem reasonable, which shall be levied in the same manner as witnesses' expenses.

Witnesses' expenses to be paid immediately by the party calling them,

SECTION XLV.—*Clause 1st.*—If a person called as a witness shall have been subjected to any expense by his attendance at the trial, the Court may award him such sum for his charges as may appear reasonable, and in default of immediate payment, may, if it see cause, commit to prison for contempt, the party by whom he was called, for a period not exceeding sixty days, unless the charges are sooner paid, together with any fine not exceeding the amount of the charges which the Court may impose.

on pain of fine and imprisonment in case of failure,

such expenses being

Clause 2d.—It shall further be competent to the Court,

on

on application from the witness, and whether the party be committed to prison or not, to proceed to the recovery of the amount due to the witness by distraint, in the same manner as in the recovery of the amount of a decree.

further leviable by distraint.

Clause 3*d.*—The Serishtadar, or in the Court of a Commissioner, the Commissioner, shall keep in each cause an account of the sums paid to witnesses by order of the Court, but he shall enter no sums therein except those for which the party may produce a receipt by the witness.

Accounts to be kept of payments to the witnesses,

duly authenticated.

CHAPTER X.

OF NOTICE TO BE GIVEN TO COHEIRS INTERESTED IN SUITS, WHICH HAVE BEEN INSTITUTED WITHOUT THEIR PARTICIPATION.

SECTION XLVI.—*Clause* 1*st.*—Whenever, in a suit depending on the rules of succession, it does not appear that all the persons who possess a title to the property in dispute as heirs have been made parties in the suit, the Court shall stay its proceedings and issue a proclamation (according to the form contained in Appendix M) explaining the nature of the suit, and the names of the parties, and inviting all persons having any claim to the property as heirs to prefer the same within a period to be specified, and not to be less than fifteen days from the date of the proclamation.

In succession suits coheirs to receive due intimation by proclamation,

Clause 2*d.*—The proclamation as far as circumstances will admit, shall be published in the manner prescribed in Section VIII Clause 10th of this Regulation.

duly published.

SECTION XLVII.—*Clause* 1*st.*—If after the expiration of the specified period no claimant has appeared, the Court may proceed as in ordinary cases.

If no claimant appears the suit to proceed:

Clause 2*d.*—If a claimant appears, and becomes a party to the

If otherwise, the claimant

to be admitted as a party,

being liable for a share of the costs:

the suit, the Court shall investigate his claim and pronounce a decision thereon, in the same manner as upon those of the other claimants, adjudging him at the same time to pay a due proportion of the costs of the suit.

but the decree not to affect persons not knowingly parties in the suit.

Clause 3d.—But no decree which may be passed in the suit shall bar a person claiming as heir, and who was not knowingly a party in such suit, from prosecuting his right to the whole or any part of the property in dispute by the ordinary course of law.

CHAPTER XI.

OF CONTEMPTS.

Non-attendance of a witness without sufficient cause punishable,

with fine and imprisonment,

SECTION XLVIII.—If a witness, who has been apprehended and brought before the Court, is not able to substantiate, that he was prevented from obeying the summons by a valid cause, the Court may, according to the circumstances of the case, impose a fine on such witness not exceeding 500 Rupees, and in default of payment, commit him to close custody, for a period not exceeding three months, unless the fine is sooner paid.

as also contumacious refusal to give evidence,

SECTION XLIX.—*Clause 1st.*—If a witness attending the Court refuses to give evidence, and does not assign a sufficient reason for such refusal, the Court, according to the circumstances of the case, may impose a fine upon him not exceeding 500 Rupees, and in default of payment, commit him to close custody, for a period not exceeding three months, unless the fine is sooner paid.

even should he afterwards give it.

Clause 2d.—If the Court is of opinion that the evidence of such witness is material to the suit, it shall be in its discretion to commit him to close custody until he gives his evidence, and although he is so committed, the fine prescribed in the above clause may nevertheless be imposed, the date of imprisonment

in

in default of payment being computed from the day when he gave his evidence.

A witness refusing to sign his deposition punishable with fine and imprisonment.

SECTION L.—If a witness after giving his evidence refuse to sign the deposition, the Court shall subscribe the deposition, which shall then be considered as part of the evidence in the suit, and such refractory witness shall be liable to be punished in the same way as a witness refusing to give evidence without assigning sufficient cause for such refusal, under the rules contained in the first Clause of the preceding Section.

Impropriety of language and manner in any person,

and prevarication in a witness punishable with fine and imprisonment:

SECTION LI.—If any person employs terms of abuse in pleading, or uses insolent language or gestures in Court, or otherwise disturbs the proceedings of the Court, or if he wilfully prevaricates when examined as a witness, the Court may immediately punish the offender by a fine not exceeding (500) five hundred Rupees, and in default of payment commit him to close custody, for a period not exceeding three months, unless the fine is sooner paid.

as also resistance by any one of the Court's process,

SECTION LII.—If any person obstructs or resists the execution of any process, rule, order, or decree of Court, the Court on proof of the fact may order the offender to be summoned, or taken into custody, as the case may require, and after an investigation of the circumstances, may impose a fine on the offender not exceeding (500) five hundred Rupees, and in default of payment commit him to prison, for a period not exceeding three months, unless the fine is sooner paid.

and the institution of groundless and vexatious suits,

SECTION LIII.—When the Court is satisfied that a suit has been instituted groundlessly, or for vexatious purposes, it may impose a fine upon the plaintiff not exceeding (500) five hundred Rupees, and in default of payment commit him to close custody, for a period not exceeding three months, unless the fine is sooner paid.

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the fine in all cases being of smaller amount in the lower Courts than in that of the Judge.

SECTION LIV.—Whenever any of the above cases of contempt occurs in the Court of an Assistant Judge or Commissioner, the fine to be imposed on the offender shall not exceed, in the Court of a Senior Assistant Judge, one half, and in the Court of a Junior Assistant Judge or Commissioner, one tenth of the highest fine that can be imposed in similar cases by the Judge; but the term of imprisonment may be the same.

Fines imposed by the Judge or Senior Assistant Judge open to appeal,

SECTION LV.—*Clause* 1*st.*—Orders imposing fines under any of the preceding Sections of this Chapter passed in the Courts of the Judge and Senior Assistant Judge shall, without staying execution in the interim, be open to appeal to the Suddur Dewannee Adawlut and Zilla Judge respectively, and the decision passed on such appeal shall be final.

and in the lower Courts leviable, only after a review of the case.

Clause 2*d.*—And if a Junior Assistant Judge or Commissioner pass an order imposing a fine or awarding punishment under any of the preceding Sections of this Chapter, he shall in no case imprison the offender or levy the fine, but shall without delay report the proceedings to the Judge, who, if he approves of the punishment, shall issue an order to the Nazir to levy the fine, and in default of payment commit the offender to close custody, for a period not exceeding the highest term of imprisonment prescribed for the case, unless the fine is sooner paid.

Persons imprisoned for contempt may be lodged in the Civil or Criminal Jail,

SECTION LVI.—*Clause* 1*st.*—Persons imprisoned for contempt shall be confined either in the Civil or Criminal Jail at the discretion of the Court, and the subsistence of the offenders shall be provided for in the same way as that of prisoners in the Criminal Jail.

the Zilla Judge executing the sentence of the Suddur Adawlut;

Clause 2*d.*—Commitments for contempt issued by the Suddur Adawlut shall be executed by the Zilla Judge on a precept being issued for that purpose.

Clause

Clause 3d.—Punishments adjudged under any of the preceding Sections of this Chapter, shall not bar a party from instituting an action for damages for any injury he may have sustained by the offences for which the punishments were awarded.

The party injured by the contempt may always sue the offender for damages.

CHAPTER XII.

OF COSTS.

SECTION LVII.—*Clause* 1*st.*—Under the denomination of "costs" are to be included the whole of the expenses necessarily incurred by either party on account of the suit, and in enforcing the decree that may have been passed therein under the authority of any Regulation, such as the expense of summoning defendants, taxes on law proceedings, fees of attornies, subsistence money to the Nazir's officers, charges of witnesses, and sums awarded to commissioners employed either in local investigations or in taking evidence.

Items constituting costs of suits,

Clause 2*d.*—Each party shall pay in the first instance, the costs incurred in his behalf.

which each party in the first instance pays for himself.

SECTION LVIII.—*Clause* 1*st.*—If by the decree the suit is dismissed, or if the plaintiff is found entitled to the full possession of the property, or the full amount of the sum sued for, or if judgment is given for the defendant, the whole costs of suit shall be paid by the party against whom the decree is made, unless the Court shall think that any part of the proceeding was needless, or that any unnecessary expense was incurred.

If either party proves his case entirely the other to pay all costs,

unless needless proceedings or expenses are shewn.

Clause 2*d.*—If the decree is given for a less sum than was sued for, the costs shall be paid by the parties in such proportions as the Court may direct.

When part of the claim is admitted the costs to be divided,

Clause 3*d.*—In extraordinary cases the Court may direct the costs to be paid by either party, and in the proportions that

and in extraordinary cases apportioned at the

may

Court's discretion, for reasons shewn in the decree.

may be equitable; the reason for such deviation from the ordinary rule being specified in the decree.

CHAPTER XIII.

OF ENFORCING SECURITY BONDS TAKEN IN SUITS.

Injuries occasioned by defaults to be redressed at the expense of the security for the defaulter,

SECTION LIX.—If a party in a suit who has furnished security makes default, the other party in the suit, if injured by the default, shall present a petition to the Court reciting the circumstances of the case, and stating the default, the extent of the loss occasioned to him thereby, and the liability of the surety; whereupon the Court shall investigate the matter, and pass such order as may be consistent with justice and the Regulations, and shall cause the same to be executed in the same manner as a decree of Court, such order being in like manner also open to appeal.

an appeal being allowed.

CHAPTER XIV.

OF THE DECREE AND ITS ENFORCEMENT.

Judgment in suits to be given by a written decree,

SECTION LX.—*Clause* 1*st*.—When the pleadings and exhibits have been read, the parties heard, the witnesses examined, and the whole proceedings in the suit completed, the Court shall give judgment by a written decree.

which shall specify all necessary matters connected with the suit;

Clause 2*d*.—The decree shall specify the number of the suit, the amount sued for, and the names of the parties; it shall also recite in abstract the nature and substance of the complaint, the judgment of the Court and an abstract of the reasons thereof, the amount awarded, if the decree be for money, and, if for any object, the execution of which may possibly be impracticable, an amount of money as an alternative, the amount of costs awarded, and that of fine, if the suit is deemed groundless or vexatious.

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Clause 3d.—The Court may by consent of parties decree the sum awarded to be paid by instalments, which shall be specified in the decree.

instalments may be specified in the decree,

Clause 4th.—The Court may add in the decree interest on the whole sum sued for, or on any part thereof, from the date of filing the suit till the date of the decree.

and interest as the Court may deem allowed:

Clause 5th.—A list of the pleadings, depositions, exhibits, and other documents in the suit, an account of the costs incurred by the plaintiff, and a similar account of the costs incurred by the defendant, shall also be inserted in the decree.

the papers in the suit and the costs to be specified in the decree.

SECTION LXI.—*Clause 1st.*—If the party against whom a decree has been passed, shall fail to fulfil such decree, either wholly or in part, the Court, on application of the other party, shall direct it to be enforced.

Decrees to be enforced on application to the Court.

Clause 2d.—But, if the decree has been passed by a Commissioner, the application for enforcing it shall be addressed to the Judge, who may either decide on it himself or delegate authority for that purpose to an assistant Judge.

Commissioners' decrees to be enforced by the Judge or one of his assistants:

Clause 3d.—No order for the enforcement of a decree shall be passed until ten days from the date of the decree, except for special causes to be shewn to, and approved by the Court.

decrees not to be enforced until ten days after their dates,

Clause 4th.—If more suits than one have been instituted against the same defendant, the plaintiffs obtaining decrees in their favour, in the absence of any special ground of preference in regard to any particular claim, shall be entitled to demand the full enforcement of their decrees, according to the relative priority of their plaints.

decrees against the same defendant to be satisfied according to priority of plaints,

Clause

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Unless they were filed within twenty days of each other.

Clause 5th.—But, if the plaints were filed within the period of twenty days of each other, the decrees, in the absence of any special ground of preference as stated in the preceding clause, shall, upon the verbal application of any of the holders to that effect, be satisfied simultaneously, and, if their full discharge is impracticable, then each in proportion to its respective amount.

Applications for enforcement of decrees to specify the nature of the assistance required,

SECTION LXII.—*Clause 1st*—The application for the enforcement of a decree shall state the mode in which the assistance of the Court is required, whether in the occupation of property specifically decreed, the arrest and imprisonment of the debtor, or the attachment and sale of any of his moveable or immoveable property, in which case such property must be distinctly specified, with the probable value thereof; an authenticated copy of the decree, which may be procured on verbal application and the production of any stamped paper required, shall accompany the application, and shall bear an endorsement specifying the nature and extent of any satisfaction which may have been made by the debtor; the copy of the decree shall after inspection be returned to the applicant.

and to be accompanied by an attested copy of the decree, bearing a memorandum of any satisfaction made;

The Court to enforce the decree according to the same,

Clause 2d.—The Court shall on receiving the application issue such order as may be requisite towards the enforcement of the decree; if it be for land or other immoveable property, the same shall be delivered over to the plaintiff; if it be for any specific moveable property, or for the performance of any particular act, the same shall, if practicable, be respectively delivered and enforced, and, if this be not practicable, whether from the wilful opposition of the defendant or others, or from other causes, payment of the pecuniary equivalent specified in the decree, shall, without prejudice to the operation of the provisions of Section LII, be enforced, in the same way as decrees for money are enforced, by the arrest and imprisonment of the defendant, or the attachment and sale of his property, as specified by the plaintiff, or by both. But it is to be clearly understood that, if the defendant shall

The debtor having the option of property to be sold.

point

point out any of his property for sale in preference to that specified by the plaintiff, the property so pointed out shall be first sold, and that such implements of manual labour, and such cattle and implements of agriculture, as may in the judgment of the Court from which the process issues, be indispensable for the defendant to earn a livelihood in his respective calling, or cultivate any land that he may hold for that purpose, shall be exempt from attachment.

and articles absolutely required to procure him subsistence being exempted.

Clause 3d.—When a decree is to be enforced at the Suddur Station or in its vicinity, the order shall be issued to the Nazir, and when in a subordinate district, to the Commissioner of the district, and a return to the order shall be made, when it is fully executed, or at such period as may be specified in the order, which shall in no case be more than six months from the date of the order.

The Nazir to execute decrees at the Suddur station and the commissioners elsewhere,

and to make returns as directed.

SECTION LXIII.—*Clause 1st.*—When a defendant under a decree is committed to prison at the instance of the plaintiff, the Judge shall fix whatever monthly allowance he shall think sufficient for the defendant's subsistence, not being more than (100) one hundred reas per day, which shall be supplied by the plaintiff to the Nazir by monthly payments in advance on or before the 1st day of each month, the first payment being made on the date of imprisonment for such portion of the current month as remains unexpired.

Subsistence money of a defendant in the jail how fixed and furnished:

Clause 2d.—A defendant in confinement will be released at any time on full execution of the decree being made, or at the instance of the plaintiff, or on the plaintiff's omitting to pay the allowance as above directed for the space of (24) twenty four hours after it has become due, and further, if the defendant should not previously have sought to procure his enlargement by the surrender of his property under the rules contained in the succeeding section, his imprisonment, on account of the decree

a defendant not guilty of fraud never to be confined for more than three years, and under certain circumstances to be sooner released:

decree which occasioned it, shall not in any case exceed three years.

subsistence money is recoverable from property, but will not occasion imprisonment.

Clause 3d.—Sums disbursed by a plaintiff for the subsistence of a defendant in jail shall be added to the decree, and shall be recoverable from his property under the ordinary rules, but the defendant shall not be detained in custody or arrested on account of such disbursements.

A defendant will at any time obtain his release on surrendering his property:

SECTION LXIV.—*Clause 1st.*—A defendant in confinement may at any time procure his enlargement by making an application to the Judge to that effect, and furnishing in writing a full and fair account of all his property of whatever nature, whether in expectancy or in possession, and whether held exclusively by himself or jointly with others, or by others in trust for him, and of the places respectively where such property is to be found, and moreover assigning to the plaintiff the whole of such property or such part thereof as may be sufficient for the satisfaction of the decree: in such case the Judge shall cause the plaintiff to be furnished with a copy of the account of the defendant's property, and require him within a reasonable period, to be fixed by the Judge, to make proof of any fraudulent concealment or misrepresentation made by the defendant, and on his failing to make such proof within the period specified shall cause the defendant to be set at liberty.

but if he commit fraud the plaintiff may detain him for five years in jail.

Clause 2d.—But if the plaintiff shall within the time specified, or at any subsequent period, prove to the satisfaction of the Judge, that the defendant, for the purpose of procuring his enlargement without satisfying the decree, wilfully concealed or undervalued property, or his right or interest therein, or fraudulently transferred or removed property, or committed other act of bad faith, the Judge shall at the instance of the plaintiff either retain the defendant in confinement, or commit him to prison, as the case may be, (unless he shall already have been

confined

confined five years on account of the decree) and such fraudulent defendant shall be liable to imprisonment for a period not exceeding five years in the whole on account of that decree, but terminable at any time on full execution of the decree, or at the instance of the plaintiff, or on his failing to pay the subsistence money as specified in the preceding section.

A defendant never to be twice imprisoned except in the case of such fraud.

SECTION LXV.—A defendant once enlarged shall not again be imprisoned on account of the same decree, except under the operation of the 2d Clause of the preceding section, but his property will continue liable to attachment and sale under the ordinary rules in satisfaction of the decree, until the same shall be fully made.

Sales of property in satisfaction of decrees to be made by public auction at least fifteen days after proclamation

SECTION LXVI.—*Clause* 1*st.*—Whenever a sale of property takes place under a decree, it shall be by public auction, and after not less than (15) fifteen days' public notice by proclamation.

of the articles to be sold,

Clause 2*d.*—The proclamation shall be according to the form in Appendix N, and shall contain a specific inventory of the articles of property to be sold, and intimation that the sale will proceed at a time and place therein mentioned, unless the same shall be objected to by some person, other than the alleged owner, who within (15) fifteen days from the date of such proclamation shall establish to the satisfaction of the creditor or of the Court a right or interest in the property under attachment, or shall engage, under such penalty as may be imposed, to file within (30) thirty days from the date of the intended sale a suit in Court to establish such right or interest.

and the time and place of sale, unless objected to upon good grounds:

proclamation where to be made.

Clause 3*d.*—A copy of the proclamation shall be fixed up at the place where the property is situated, and also at the most public part of the town or village, and in such other places as the order of Court may direct.

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If a third party appears,

SECTION LXVII.—*Clause* 1*st*.—If, before the sale has taken place, any person, other than the alleged owner of the property, intimates to the Court or to the officer superintending such sale, that he has a right or interest in the property, and either establishes the same, on the one hand, to the satisfaction of the creditor, or of the Court or its officer, as the case may be, or engages, on the other hand, to institute a suit within (30) thirty days from the date of the intended sale, for the purpose of establishing it, the Court or the officer superintending the sale shall, at the option of such claimant, while his demand is unsatisfied, either cause the sale of the property to be stayed, until his claim is decided upon, and the attachment to be removed, when the claim is established, or cause the property to be sold under an express declaration by proclamation issued as prescribed in Section LXVI Clause 3d, at least ten days previously to the sale, exclusively of the period specified in Clause 1st of that Section, that such property is sold subject to the right or interest advanced thereto by the claimant, provided that the same shall be established in a competent Court as prescribed by the Regulations.

and urges good grounds for the measure,

a sale may be stayed,

or proceed without prejudice to such third person's claim:

sales to be stayed temporarily only by the ministerial officers employed, and definitively by the Court:

Clause 2*d*.—An order of the Nazir or other officer for removing an attachment or staying a sale, shall be of force only until an order of Court can be passed upon his return to the order of sale, in which he shall be careful to explain the grounds on which he acted.

suits upon sales stayed to be tried as soon as possible.

Clause 3*d*.—In all cases where a suit is filed to establish a right to property under attachment, it shall be heard and determined as soon after the pleadings are completed as circumstances will permit, without regard to the order in which it stands upon the file.

Decrees to be satisfied from property

SECTION LXVIII.—Whenever property of a debtor is attached to answer a decree, such attachment shall give the creditor

ditor a right to be paid from the proceeds of the property attached, in preference to a creditor who may have subsequently attached it to answer a decree of an earlier date.

according to priority of attachment.

SECTION LXIX.—*Clause 1st.*—Land and its crop of whatever kind shall not be attached and sold separately, until after the crop has been reaped or gathered.

Crops not to be disposed of separately from the land until after reaping.

Clause 2d.—When corn or other production of the soil is attached and sold, the Collector or his officers may prevent its being sold or carried off the lands, unless the purchaser shall pay the amount due on account of the revenue of such lands, but in no case shall the purchaser be liable for more than one year's revenue.

and when reaped they may be attached by the Collector in satisfaction of the revenue of the year.

Clause 3d.—The same right of detention for arrears of rent, similarly restricted, shall be exercised by a landholder where his tenant's corn or other production of the soil is attached.

and by landholders upon the same principles in satisfaction of the rent of the year.

SECTION LXX.—*Clause 1st.*—A decree passed in one zilla may be enforced under the general rules in another zilla by the Judge thereof, but, if the application for enforcement in such other zilla is not received from the Judge of the zilla in which it was passed, it shall be transmitted to him previously to enforcement, and such Judge shall return it as soon as possible with an endorsement, under his seal and signature, specifying the extent to which the decree appears to have been executed within his zilla:

Decrees of one Zilla may be enforced in another,

on reference if necessary, to the Judge of the Zilla in which they were passed,

Clause 2d.—But pending the reference prescribed in the preceding Clause, the debtor may be arrested or obliged to find security that he will not leave the jurisdiction, and his property may be attached.

the defendant's person and property being detained in the mean time:

Clause 3d.—The rules contained in the two preceding Clauses

decrees of the Bombay

Court of Requests and competent authorities in the Bombay territories beyond the Zillas, to be enforced in like manner.

ses shall be applicable also to decrees of the Court of Requests at the Presidency, and to decrees passed by competent authority in those parts of the territories subordinate to Bombay in which Zilla Courts have not been established.

CHAPTER XV.

OF THE REVISION OF ORIGINAL DECREES.

Application for revision of a decree may be made in certain cases:

SECTION LXXI.—*Clause 1st.*—If either party should deem himself aggrieved by a decree, and should have strong and evident grounds to urge against the justice of the same, such as an error or omission being apparent on the face of it, or the discovery of new matter or evidence which was not within his knowledge, or could not be adduced by him at the time when the decree was passed, he may solicit a revision of the decree by written application to the Court which passed it.

rejection of a revision to be final,

Clause 2d.—If the Court, after a full consideration of the grounds of the application, should be of opinion that the reasons urged for a revision of the decree or order are insufficient, it shall reject the application, and the order of rejection shall not be open to appeal: if it should, on the contrary, judge them to be adequate and convincing, the application shall, if made to a subordinate Court, be referred with the sentiments of the Court to the zilla Judge, and, if made to the zilla Judge, shall be referred with his sentiments to the Suddur Dewannee Adawlut, for final decision by those authorities respectively.

but revision to be granted only with the concurrence of the respective Court of Appeal.

One revision only competent, but this may be granted on either party's application,

Clause 3d.—One revision only of a decree shall be competent, but both parties in the suit may make applications for a revision, and the rejection of the one shall not influence the decision on the other.

but not if an appeal has been admitted:

Clause 4th.—No revision shall be granted, if an appeal to a superior Court has been admitted.

Clause

Clause 5th.—When a revision has been granted, execution of the decree shall be regulated according to the provisions of sections LXXXI and LXXXII, on the subject of decrees in suits under appeal.

Decrees under revision to be executed or not according to circumstances:

Clause 6th.—When a revision is admitted, it shall be competent to the Court by which the decree was passed to take such additional evidence and pleadings as may have been omitted, and to pass a new decree thereon, which shall be held to stand in the place of the first decree in all respects.

revisions how to be conducted.

CHAPTER XVI.

OF THE ADMISSION AND REJECTION OF APPEALS.

SECTION LXXII.—*Clause 1st.*—Every suit originally tried by a Commissioner, or a junior assistant Judge, shall be open to an appeal to the Judge, and, if such appeal be tried by the Judge, his decree shall in all cases be final, but, if it be referred under Regulation II A. D. 1827 Section XXVIII clause 6th, to a senior assistant Judge, the decree of the senior assistant shall be final, only in case it affirms the decision of the lower Court.

Decrees of commissioners and junior assistant Judges appealable to the Judge, whose decision is final:
but the suit may be referred to the senior assistant Judge, whose decision is in some cases final,

Clause 2d.—Every suit tried in appeal by a senior assistant Judge, in which the decree in appeal modifies or reverses that of the lower Court, shall be open to an appeal to the Judge, whose decree shall in all cases be final.

and in others appealable to the Judge, whose decision is final.

Clause 3d.—Every suit originally tried by a senior assistant Judge shall be open to an appeal to the Judge of the zilla, whose decree, if it affirms that of the lower Court, shall be final, but, if it modifies or reverses such decree, a further appeal to the Suddur Dewannee Adawlut shall be open to the defendant, if more than five hundred (500) rupees is adjudged against him by the zilla Judge, and to the plaintiff, if more than five hundred (500) rupees of his original demand is disallowed by the same

Senior assistant Judge's original decrees appealable to the Judge, whose decision is in some cases final,
and in others appealable to the Suddur Dewannee Adawlut.

same authority, beyond what was adjudged or disallowed by the lower Court.

Judge's original decrees appealable to the Sudder Dewannee Adawlut,

Clause 4th.—Every suit originally tried by a zilla Judge shall be open to an appeal to the Suddur Dewannee Adawlut.

and in certain cases to H. M. Supreme Court of Judicature.

Clause 5th.—But if the suit is against a British-born subject, residing, trading or occupying immoveable property in the zilla, under the circumstances specified in Regulation II A. D. 1827 Section XLVI, it shall be competent to such British-born subject, as enacted in the act of Parliament 53d George III Chapter 155 Section 107, instead of appealing to the Suddur Dewannee Adawlut, to appeal to His Majesty's Supreme Court of Judicature in Bombay.

Petitions of appeal to be addressed to the appeal Court and presented to the Judge, except in certain cases;

SECTION LXXIII.—*Clause 1st.*—In all cases where a party is desirous of appealing, he shall apply by petition addressed to the Court in which the appeal is cognizable, which shall be presented to the Judge of the zilla, excepting in appeals to His Majesty's Supreme Court of Judicature at Bombay in suits against British-born subjects, and in appeals to the King in Council.

appeals to the Judge must be made within 30 and to the Suddur Adawlut within 90 days from the date of the decree,

Clause 2d.—If the decree was passed by any Court subordinate to the zilla Judge, the petition shall be presented within thirty (30) days, and if by a zilla Judge, within ninety (90) days from the date of such decree.

but may be admitted after these periods,

Clause 3d.—It shall nevertheless be competent to the Judge, after the expiration of the prescribed period, if the appeal is to himself, to grant the same, and, if it is to the Suddur Dewannee Adawlut, to admit it temporarily, subject to the decision of the superior Court upon the point, provided that the appellant can shew to the Judge's satisfaction just and necessary cause for not having preferred it in due time, but in all such cases, the reasons inducing the measures adopted shall be fully stated in the minutes of proceedings.

for good reasons.

SECTION

A. D. 1827. REGULATION IV.

SECTION LXXIV.—*Clause* 1*st.*—The petition shall specify the number of the suit, the date when it was filed, the subject of the complaint, the assumed value of the property in dispute, the sum claimed, or the amount of damages alleged to have been sustained, as the case may be, the date of the decree from which the party is desirous of appealing, and such other particulars as he may deem of importance.

The petition what to contain,

Clause 2*d.*—The petition shall be signed by the appellant or his recognized agent or authorized vakeel, and, if a vakalutnama is required under the regulations, it shall accompany the petition.

and how to be authenticated.

SECTION LXXV.—The appellant along with his petition shall deliver good and sufficient security, according to the form contained in Appendix O, for payment of the costs that may be awarded on the appeal to the respondent; and without such security no petition of appeal shall be admitted, except on proof that the appellant is a pauper.

Security for costs must be given by the appellant.

SECTION LXXVI.—If on any account the application to appeal is rejected, the Judge shall cause an entry to be made on the minutes of proceedings of the reasons for rejecting it, and if applied to, he shall furnish the petitioner with an authenticated copy of the petition, and of the entry so made.

Petition of appeal how rejected,

SECTION LXXVII.—*Clause* 1*st.*—If the application to appeal is admitted the Judge shall cause the date on which the petition was presented to be endorsed thereon, and shall subscribe the endorsement; he shall also cause the word "*appealed*" to be written on the margin of the minutes of proceedings opposite to the decree in the suit.

and how admitted:

Clause 2*d.*—And if the appeal is to the Suddur Dewannee Adawlut, he shall forthwith transmit the petition and security bond to that Court.

and if to the Suddur Dewannee Adawlut how further disposed of.

SECTION

REGULATION IV. A. D. 1827.

All papers of suits appealed to the Suddur Dewannee Adawlut with a copy of the Court's proceedings to be sent forthwith to the superior Court,

SECTION LXXVIII.—*Clause 1st.*—When the appeal is to the Suddur Adawlut, the Judge shall within fifteen (15) days, or as soon after as circumstances will permit, forward to that Court the proceedings in the suit, including the whole of the original papers used in the suit, and remaining in the custody of the Court, together with an authenticated copy of the minutes of proceedings.

with an inventory in duplicate, one copy of which is to be returned.

Clause 2d.—The papers so forwarded shall be accompanied by an inventory in duplicate, of which one copy shall be returned to the zilla Judge signed by the Register, or Assistant Register of the Suddur Dewannee Adawlut, and the other retained on the records of that Court.

Copies of all papers forwarded to be retained:

SECTION LXXIX.—*Clause 1st.*—Authenticated copies of all original papers forwarded to the Suddur Dewannee Adawlut shall be made and deposited in the zilla Court, which copies shall be deemed records of the Court.

further proceedings to be in like manner forwarded and copies retained:

Clause 2d.—Any further proceedings that may take place in the zilla Court pending the appeal, shall in like manner be forwarded to the Suddur Dewannee Adawlut, copies being retained for record.

when the original cannot conveniently be sent, copies to be forwarded:

Clause 3d.—If any original exhibit is entered in a book, so that it cannot without great inconvenience be forwarded to the Suddur Dewannee Adawlut, the Judge shall transmit an authenticated copy of such exhibit, and certify thereon the reason why it was substituted, but it shall nevertheless be competent to the Suddur Dewannee Adawlut to call for the original exhibit.

but the superior Court may call for the original:

when an original is not forthcoming, copy from the general Register may be sent,

Clause 4th.—If any original paper, which has been registered in the General Register, shall have been lost or destroyed, a copy of such paper certified by the Superintendent of the Register

Register shall be transmitted to the Suddur Dewannee Adawlut in place of the original.

SECTION LXXX.—When an appeal is admitted, the Judge shall cause to be given to the parties a notice according to the form contained in Appendix P.

The parties to be informed of the admission of the appeal.

CHAPTER XVII.

OF STAYING AND EXECUTING DECREES UNDER APPEAL.

SECTION LXXXI.—*Clause* 1*st.*—When an appeal has been admitted in any suit, no order for enforcing the decree shall be issued pending such appeal, and if an order for enforcing the decree has been issued, the execution of such order, so far as it may be unexecuted, shall be suspended pending the appeal.

Execution of decrees under appeal shall be stayed.

Clause 2*d.*—But the Judge, if applied to by the respondent, shall require the appellant, if in possession, to find good and sufficient security according to the form contained in Appendix Q, in a sum equal to one year's amount of the annual produce of any land, house, or other immoveable property, the right to which was decided by the decree, and forms the subject of appeal, and with respect to other property good and sufficient security, in an amount equal to the sum of money or value of the thing decreed, for the performance of the decree which may be passed upon the appeal.

but the appellant shall be required to find proper security;

SECTION LXXXII.—*Clause* 1*st.*—If the appellant when so required fails to find the prescribed security, the decree may be enforced, as in ordinary cases, notwithstanding the appeal, except that the debtor shall not be liable to be imprisoned, unless he fails to find security that he will not leave the jurisdiction of the Court about to try the appeal, but the Judge, if applied to by the appellant, shall require the respondent to find security

and if he fails to do so, the decree may be enforced under certain restrictions if the respondent finds proper security.

as prescribed in the preceding Section, for the performance of the decree which may be passed upon the appeal.

If neither party finds the required security measures may be taken to ensure the eventual execution of the final decree,

Clause 2d.—If neither party furnishes the required security for the performance of the conditions of the final decree, the Judge shall, on the requisite application being made, cause the decree to be enforced, provided however, that the debtor shall not be liable to imprisonment, and further that any sum of money levied, and any valuable property adjudged and seized, shall, if it be neither bulky nor perishable, be lodged in the Court to abide the issue of the appeal, and that, if the decree be for immoveable property, or for other property requiring attention and care to ensure its preservation, the Judge shall appoint a person to receive and manage it in trust pending the appeal under the rules contained in Section VIII Clauses 6th, 7th, and 8th.

the combined wishes of the parties being as far as possible attended to.

Clause 3d.—It is to be clearly understood, that if both parties should request the Judge in writing to adopt any particular measure in regard to the execution of the decree, while the suit is under appeal, their wishes shall be attended to, unless strong and substantial objections should exist thereto.

CHAPTER XVIII.

OF PROCEDURE AND TRIAL IN APPEAL.

Petitions of appeal how dated and numbered,

SECTION LXXXIII.—*Clause 1st.*—Whenever a petition of appeal is received by the Court to which the appeal is made, it shall be dated and numbered by endorsement in the order in which it is received, and such endorsement, if the appeal is to the Suddur Dewannee Adawlut, shall be signed by the Register or Assistant Register, and if to the zilla Judge, by the Judge.

signed,

Clause 2d.—The petition of appeal after being so marked shall

shall be registered in a book to be kept, according to the form contained in Appendix R. and registered.

SECTION LXXXIV.—When the proceedings held in the lower Court have been received by the Court to which the appeal is made, a summons, according to the form contained in Appendix S, shall issue from the latter Court, directed to the parties requiring them to appear, either personally or by attorney, on a day to be specified, and not to be less than thirty (30) days from the date of the summons, if the appeal is to the SuddurAdawlut, nor less than fifteen (15) days, if it is to a zilla Judge, except by consent of both parties Summons to the parties to appear.

SECTION LXXXV.—The appellant, on appearing upon the day appointed, shall be permitted, either immediately, or on such day as the Court may fix, to file, if he wishes it, a separate petition of appeal, which shall recite the judgment of the lower Court, state whether it has been executed, and, if so, to what extent, and offer specific objections to the judgment with the reasons for the appeal, and all matters elucidatory of his case. The appellant may file a separate petition of appeal:

SECTION LXXXVI.—All further pleadings, and all the proceedings and acts of the Court, from the filing of the petition of appeal until the decree is passed, shall, with the exceptions hereinafter specified, be conducted according to the rules prescribed for the trial of original suits. further proceedings with certain exceptions, to be the same as in original suits.

SECTION LXXXVII.—It shall be competent to the appellant at any stage of an appeal to withdraw such appeal by making application for that purpose, in which case he shall be liable to the costs of both parties, and be subject to the provisions contained in Section XVIII of this Regulation. The appellant may withdraw his appeal, consequences thereof.

SECTION LXXXVIII.—*Clause 1st.*—All summonses or other process of the Sudder Dewanny Adawlut shall, unless the person Summonses and processes of the Sudder Dewanny

REGULATION IV. A. D. 1827.

Adawlut to be served through the Judge,

son on whom it is to be served or executed is present in Court personally or by vakeel, be served or executed through the medium of the Judge of the zilla, where the suit was originally tried, or where such person may be or reside.

by a precept to him directed,

Clause 2d.—In such cases a precept, under the seal of Court and signed by the Register, shall be directed to the zilla Judge, enjoining him to serve or execute the process, within the time and in the manner therein specified, and to return the same without delay.

on receipt of which he shall issue the requisite orders,

Clause 3d.—The process shall be served or executed by the Nazir of the zilla Court, and be endorsed and returned to the Judge, as in the case of similar process originating in the zilla Court, and when so returned it shall be transmitted by the Judge to the Suddur Dewannee Adawlut, together with the precept, on which he shall certify by endorsement that the process has been served or executed, or state the reason why the terms of the precept have not been fulfilled.

and make a fitting return,

issuing a proclamation if requisite for the due execution of the process,

Clause 4th.—But if a process is directed to either of the parties, and such process from his not being found or other cause cannot be personally served, the Judge of the zilla shall, of his own authority, issue a notice, which with a copy of the process, shall be published in the manner directed in Section VI of this Regulation Clauses 1st, 2d and 3d, intimating that if the party does not comply therewith within the time limited, the appeal will be proceeded on exparte.

If either party appears, the appeal to be tried,

otherwise, to be struck off,

and not replaced except under certain circumstances.

SECTION LXXXIX.—If either of the parties appear at the time fixed for trial, the hearing of the appeal shall proceed, and judgment be given, as if both parties were present; but if neither of the parties appear, the suit shall be struck off the file, and shall not be replaced, except upon the application of the appellant in writing within ten days, and his assigning

just

just and reasonable cause to the Court's satisfaction for the default which was made by him.

No new evidence competent in appeal,

SECTION XC.—*Clause 1st.*—It shall not be competent to the parties in an appeal to produce additional evidence, whether of exhibits or witnesses.

unless for good cause.

Clause 2d.—But if it appears, that competent evidence was refused to be admitted by the lower Court, or if the Court requires itself the production of exhibits or evidence, as necessary to enable it to pronounce a satisfactory judgment, or if any other substantial cause demands a deviation from the ordinary rule, the Court may allow additional exhibits to be received, and the same or other witnesses to be examined, provided that, whenever this power is exercised, the reasons for exercising it are entered on the minutes of proceedings.

Additional evidence may be taken,

SECTION XCI.—Whenever additional evidence is permitted to be received, it shall be competent to the Court to proceed in any of the following modes,

by remanding the suit to the Court from whence it was received with proper instructions,

First.—By remanding the suit to the Court where it was originally tried with directions to take additional evidence of documents or witnesses, either as to the whole or particular parts of the matter at issue, and to pronounce judgment anew on the matter so remanded, in which case the lower Court shall obtain the evidence, and pass such decree as justice may require, and the decree so passed shall be open to appeal as in ordinary cases.

by referring points for investigation,

Second.—By referring points for investigation to the lower Court, and suspending a decision until the return of the lower Court shall be received.

by the appeal Court ta-

Third.—By taking the evidence before the Court trying the appeal,

king the evidence,

appeal, in conformity with the rules contained in Chapter IX of this Regulation.

by transmitting written questions to the inferior Court,

Fourth.—By preparing written interrogatories and transmitting them to the lower Court, with instructions to obtain the answers of the witnesses thereto, and to return them to the superior Court in conformity with the rules contained in Sections XLII, XLIII, and XLIV.

and in the Suddur Dewannee Adawlut by the Register taking the examination.

Fifth.—And if the appeal is to the Suddur Dewannee Adawlut, by authorizing the Register to act as Commissioner for taking the evidence in writing, under such instructions as he may receive from the Court, and after notice given to the parties to attend.

The points for inquiry shall be carefully defined and recorded.

SECTION XCII.—In all cases, when additional evidence is permitted to be taken, the Court shall define the point or points to which the evidence is to be confined, and record the same in the minutes of proceedings.

Security appearing inadequate may be required to be increased by the appeal Court,

SECTION XCIII.—*Clause 1st.*—If at any time pending an appeal, the security taken from either party appears inadequate, whether from the increase or improvement of the property forming the subject of appeal, or from the insufficiency of the sureties, the Court, before which the appeal is pending, may, on the application of the other party, require further security.

and, if additional security is not furnished, similar measures shall be taken, as if no security had been required,

Clause 2d.—In default of such further security being found, if the original security was furnished by the appellant, the Court may issue an order for enforcing the decree, as if no such original security had been given, but, if the original security was furnished by the respondent, the Court, so far as may be practicable, shall compel him to deliver up the property forming the subject of appeal, which shall be disposed of in conformity

formity with such of the rules contained in Section LXXXII of this Regulation, as may be applicable to the particular case.

Clause 3d.—And whenever additional security is required pending the appeal, and is not found, the appeal may be heard as soon after the pleadings are completed as circumstances will permit, without regard to the order in which it stands upon the file.

the appeal being heard as soon as possible.

CHAPTER XIX.

OF THE DECREE IN APPEAL.

SECTION XCIV.—*Clause 1st.*—The decree shall specify the number of the appeal and the names of the parties, and shall recite the judgment of the lower Court, or such part thereof as is appealed against, with the grounds of appeal; in all other respects it shall conform as nearly as possible to the rules contained in Section LX of this Regulation Clauses 2d, 3d, 4th and 5th.

Form and substance of the decree in appeal;

Clause 2d.—If the decree of the Court below should have disposed of the suit, either wholly or in part, without investigating the merits, upon the ground of the jurisdiction not having been proved, the period of limitation having been exceeded, or other preliminary objection, and such decree should be reversed by the decree in appeal, the superior Court shall apprize the parties that the suit will be remitted for hearing to the Court below, and shall cause the papers in the suit, together with a copy of the decree in appeal, to be transmitted to such lower Court, with directions to proceed in the investigation of the merits of the suit, and pass a decree therein according to the Regulations.

if it occasions the suit to be returned for trial anew;

notice to be given to the parties,

Clause 3d.—The suit shall occupy the number under which it was originally filed, and all advantages depending upon the period of its institution shall, as far as possible, be secured to the parties concerned.

and the suit shall as far as possible hold its original situation.

SECTION

REGULATION IV. A. D. 1827.

Suddur Dewannee Adawlut's decree in what languages to be written,

SECTION XCV.—*Clause* 1*st.*—The decree of the Suddur Dewannee Adawlut shall be in English, but shall have annexed or subjoined a translation in the language of the zilla in which the suit was originally tried.

how signed and sealed,

Clause 2*d.*—It shall be signed by the Judges who were present when the decree was passed, and be sealed with the seal of the Court.

and executed.

Clause 3*d.*—The decree shall be executed under the authority of the Judge of the zilla in which the suit was originally tried, in the same manner as a decree of his own Court.

CHAPTER XX.

OF THE REVISION OF DECREES PASSED IN APPEAL.

Revision of decrees in appeal how competent.

SECTION XCVI.—It shall be competent to the Court that has tried an appeal to receive and consider applications for a review of its decree, in conformity with the rules contained in Section LXXI of this Regulation, the application when made to the Suddur Dewannee Adawlut being finally decided upon in all cases by that Court.

CHAPTER XXI.

OF APPLICATIONS TO THE SUDDUR DEWANNEE ADAWLUT IN INCIDENTAL COMPLAINTS.

Rejection of appeals by the Judge may be appealed against to the Suddur Dewannee Adawlut.

SECTION XCVII.—*Clause* 1*st.*—It shall be competent to the Suddur Dewannee Adawlut, if applied to by the party, to admit a petition of appeal against the decree, whether of a Zilla Judge, or of any inferior Court, which the Zilla Judge may have rejected, as having been presented after the limited period, or on any other ground.

The petition of appeal how

Clause 2*d.*—In such cases the application shall be accompanied

panied by authenticated copies of the decree, of the petition which was rejected, and of the entry in the minutes of proceedings of the Zilla Judge, containing the reasons for its rejection; or by a declaration upon oath, or otherwise as the Court may require, that such copies were applied for and not obtained.

to be accompanied,

Clause 3d.—If on inquiry it appears that the petition of appeal was rejected upon insufficient grounds, or that other circumstances require that it should be admitted, it shall be competent to the Suddur Dewannee Adawlut, if the rejected appeal was to that Court, to admit it and call for the proceedings in the suit, and if it was to the Zilla Judge, to enjoin him to admit it, and proceed as in ordinary cases.

ted,

and proceeded in.

SECTION XCVIII.—*Clause 1st.*—It shall also be competent to the Suddur Dewannee Adawlut to receive complaints against a Zilla Judge, for refusing to file an original suit, for neglecting to proceed in a suit already filed, or for refusing to receive or neglecting to proceed in an application in any suit or matter that has been decided.

The Suddur Dewannee Adawlut competent to receive complaints in other matters against Judges,

Clause 2d.—And on proof of the facts alleged the Suddur Dewannee Adawlut may enjoin the Zilla Judge to receive or proceed in such suit or application as in ordinary cases.

and to issue the requisite orders.

CHAPTER XXII.

OF SPECIAL APPEALS.

SECTION XCIX.—*Clause 1st.*—If in a suit or appeal not ordinarily appealable to the Suddur Dewannee Adawlut, a decree is passed in any Zilla Court, which appears on the face of it to be contrary to or unwarranted by the Regulations, which appears to be inconsistent with the general usage of the country, or with the Hindoo or Mohumudan law, in questions depending on such law, or if the decree involves some point of general

Special appeals from decrees under what circumstances competent.

neral interest or importance, not before decided by the Suddur Dewannee Adawlut, or if strong probable grounds of grievance exist from whatever cause, it shall be competent to the Suddur Dewannee Adawlut, to admit a special appeal in the case: it shall in like manner, and under the same circumstances, be competent to the Zilla Judge, to admit special appeals from decrees passed in appeal by the Senior Assistant Judge.

to the Suddur Dewannee Adawlut,

and the Zilla Judge;

Clause 2d.—In like manner if in the course of any judicial proceeding an order is passed in the inferior Court, which, by not relating to the merits of the case in general, is not regularly open to correction, by means of appealing against the decree, it shall be competent to the Court by which an ordinary appeal in the suit, from which the said order originated, is cognizable, to admit a special appeal from such order.

also against orders.

Clause 3d.—The petition of appeal shall state the specific ground upon which the appeal is solicited, and shall be presented within the period limited for a regular appeal to the respective authority to whom it is preferred.

The petition what to contain, when to be presented,

Clause 4th.—The petition shall be accompanied by an authenticated copy of the decree, or order, or by a declaration upon oath, or otherwise as may be required, that such copy was applied for, and not obtained.

and how accompanied:

Clause 5th.—If on a consideration of the circumstances of the case, the Court admits the appeal, the reasons for admitting it shall be entered on the minutes of proceedings, and such order be transmitted for the guidance of the inferior Court as the case may require.

reasons for admitting the appeal to be recorded,

and the requisite orders issued to the inferior Court:

Clause 6th.—And if on investigation the appeal appears to have been made groundlessly or for vexatious purposes, the Court

appellant when and how punishable by the Suddur Dewannee Adawlut.

Court may fine the appellant, in conformity with the rules contained in Section LIII of this Regulation.

CHAPTER XXIII.

OF APPEALS TO THE KING IN COUNCIL.

Appellants to the King in Council may at their option present a petition to the Suddur Dewannee Adawlut,

SECTION C.—*Clause* 1*st*.—If a party is desirous of preferring an appeal to the King in Council, and requires the assistance of the Court for obtaining security from the other party for staying execution of the decree that has been passed, or for any other purpose, he shall present his petition of appeal to the Suddur Dewannee Adawlut, within six calendar months from the date of the decree appealed against.

which Court will give notice to the other party,

Clause 2*d*.—On receipt of the petition the Suddur Dewannee Adawlut shall forthwith cause notice to be given to the other party, that the petitioner has preferred an appeal to the King in Council.

and stay execution of the decree in proportion to the security furnished,

Clause 3*d*.—The Suddur Dewannee Adawlut, if applied to, may either order the decree appealed against to be enforced, taking sufficient security for the performance of such order or decree as His Majesty, his heirs or successors, may make on the appeal, or it may direct, on similar security being found, that no order for enforcing the decree shall be issued, pending the appeal, and that, if any such order has been issued, it shall, so far as it has not been executed, be suspended.

the appellant always finding security for costs;

Clause 4*th*.—But in either case the Suddur Dewannee Adawlut shall require the appellant to find security for the payment of such costs, as it may think likely to be incurred by the appeal.

further security if required how taken.

Clause 5*th*.—If pending the appeal, the Suddur Dewannee Adawlut is applied to by either party to take further security, the

the Court shall conform to the rules contained in Section XCIII of this Regulation clauses 1st and 2d.

Proceedings in the suit appealed to be forwarded to Government.

Clause 6*th.*—The Suddur Dewannee Adawlut on receipt of the petition of appeal shall cause to be made two exact copies thereof, and of all the proceedings held, and orders or decrees given in the suit, including the whole of the evidence and documents translated into English, if the original documents are not in that language, and shall transmit them under the seal of the Court, and the signature of the Register, to the Governor in Council, for the purpose of being forwarded without delay to His Majesty in Council.

Either party may on paying for the same obtain a copy of any paper concerned,

Clause 7*th.*—Either party also on application, may obtain one or more authenticated copies of any of the papers in the suit, on paying the reasonable expenses incurred in preparing them.

and of any local regulations.

Clause 8*th.*—Either party, in like manner, may obtain an authenticated copy of any local regulation enacted by the Governor in Council which he may require in the appeal.

Decrees of the King in Council how executed.

Clause 9*th.*—The decrees of the King in Council when duly certified shall be enforced, under the directions of the Suddur Dewannee Adawlut, by the Judge of the zilla in which the suit was originally tried, in the same manner as those of his own Court.

His Majesty's pleasure in receiving or rejecting appeals not intended to be affected by this regulation.

Clause 10*th.*—Nothing contained in the preceding Clauses of this Section is to be understood to bar the full and unqualified exercise of His Majesty's pleasure upon all appeals to him, either in rejecting any he may consider inadmissible, or in receiving any he may judge admissible.

A. D. 1827. REGULATION IV.

APPENDIX A.

(See Section IV Clause 2d.)

GENERAL REGISTER of Civil suits in the Court of the zilla of Ahmedabad (or as the case may be) *in the year* ——.

No. of the Register.	Subordinate registry, if any.	Date on which filed.	Names of the Parties.	Nature of the Claim	Amount.
No. 1.		1st Jan.	Herjewan Laldass *versus* Ramjee Petamber,	To recover a piece of land called Phoolchat in the village of Goraw,	Rs. 505-0-00
No. 2.		2d Jan.	Pestonjee Kassoojee, *versus* Mahomed Moideen,	Balance of account current,	Rs. 47-2-75
No. 3.	No. 1. of Dholka.	3d Jan.	Ramchunder Wissonath, *versus* Jugunath Krustnajee,	Damages sustained by a breach of engagement to marry his daughter to plaintiff,	Rs. 801-0-00

APPENDIX B.

(See Section V Clause 1st.)

Form of original summons to defendant to appear in Court if the suit is for money.

To A. B. Inhabitant of ——, and —— C D. Inhabitant of ——, and E. F. Inhabitant of —— &c.

Whereas ——, inhabitant of ——, has instituted against you in the Court of —— a suit of Rupees —— *being the amount of goods furnished to you,* (or *for damages for an assault or other injury committed by you,* or otherwise as the case may be) —— you are, therefore, hereby required to appear, either personally or by an authorized attorney, before —— in the Court of —— within —— days of your receiving this summons, to answer the

the complaint; in default whereof the said suit will be heard and determined in your absence on such evidence as the plaintiff may adduce.

Dated at —— this —— day of —— 18—.

(*Signed*) *By the Judge,*
Senior Assistant Judge,
Junior Assistant Judge
or
Commissioner,
as the case may require.

If the suit is for possession of a particular article.

Whereas —— inhabitant of —— has instituted against you in the Court of —— a suit of Rupees —— *to recover the possession of a dwelling house situated at* —— (or *a jewel deposited with you of the value of Rupees* —— or otherwise as the case may be) you are therefore &c.

The Nazir's endorsement upon returning the summons into Court to be, as the case may require,

either

Served by the peon —— upon the defendant A. B. personally on the —— day of —— 18——, and upon the defendant C. D. personally on the —— day of —— 18—,

or

Not served upon the defendant E. F. who, after diligent search made by the peon —— charged with the duty, could not be found:

and the following to be added in all cases,

CHARGES.

Allowance due to the peon —— being Rupees —— for —— days occupied in going to and returning from the town (or village) of —— a distance of —— at the rate of —— per day.

(Signed) *By the Nazir.*

A. D. 1827. REGULATION IV.

APPENDIX C.

(*See Section* VI *Clause* 1*st.*)

Form of order to the Nazir for the publication of summons where the defendant cannot be found.

In the Court of ————.

———— Plaintiff,

versus

———— Defendant.

To the Nazir of the Court.

Whereas upon the return made on the summons in the above suit it appears that the defendant —— could not be found, therefore you are hereby required to cause a copy of the said summons, and of the annexed* notice, to be fixed up in a conspicuous part of the Court, and another copy of the said summons and notice to be delivered to some person belonging to the defendant's family, and residing with him, or if none such is found, to be fixed upon the outer door of the house, or in some conspicuous part of the village or other place in which he has generally resided.

* See Appendix D.

Dated at —— this —— day of —— 18—.

(Signed) *By the Judge,*
Senior Assistant Judge,
Junior Assistant Judge,
or
Commissioner,
as the case may require.

The Nazir's endorsement upon returning the above order to be in the following form, viz.

The within order executed by fixing up a copy of the summons and notice in Court on the —— day of ——, and by delivering

delivering another copy to —— the wife (or as the case may be) of the defendant, and residing in his house, (*or* by fixing up a copy on the outer door of the house ——, *or* by fixing up a copy in the market, or other conspicuous part of the village or other place in which he has generally resided, as the case may be), on the —— day of —— 18—.

CHARGES.

Allowance due to the peon ——, being Rupees ——, for—— days occupied in going to and returning from the town (or village) of ——, a distance of —— at the rate of ——, per day.

(Signed) *By the Nazir.*

APPENDIX D.

(*See Section* VI *Clause* 1*st.*)

Form of a notice to a defendant on whom the original summons could not be served.

In the Court of ———.

——— Plaintiff,

versus

——— Defendant.

Whereas —— inhabitant of —— has instituted a suit against —— inhabitant of —— and a summons, of which the annexed is a copy, was issued, but returned into Court, because the defendant could not be found,——This notice is therefore to require the said —— defendant to appear before the Court within fifteen (or more, as the case may require) days from this date, in default whereof the said suit will be heard and determined in his absence on such evidence as the plaintiff may adduce.

Dated

Dated at —— this —— day of —— 18—.

(Signed) *By the Judge,*
Senior Assistant Judge,
Junior Assistant Judge,
or
Commissioner,
as the case may require.

APPENDIX E.

(See Section VII Clause 3d.)

Form of warrant for bringing before the Court a defendant failing to furnish security for his appearance.

In the Court of ———.

——— Plaintiff,

versus

——— Defendant.

To the Nazir of the Court of ———.

Whereas the plaintiff in this suit has made application to the Court to take security for the defendant's appearance, you are therefore hereby commanded to bring the defendant forthwith before the Court, unless he furnishes the security of some responsible person or persons, engaging to the extent of —— Rupees for his appearance to fulfil the decree in the said suit, and in default of such appearance, to fulfil in his place whatever order or decree may be passed in the suit. Herein fail not.

Dated this —— day of —— 18—.

(Signed) *By the Judge,*
Senior Assistant Judge,
Junior Assistant Judge,
or
Commissioner,
as the case may require.

REGULATION IV. A. D. 1827.

APPENDIX F.

(See Section VII Clause 3d.)

Form of bond to be entered into by the security for the appearance of a defendant.

In the Court of ———.

——— Plaintiff,

versus

——— Defendant.

Whereas, upon the application of the plaintiff, the Court has required the defendant to find security for his appearance; and whereas I —— inhabitant of —— have voluntarily agreed to become security for his appearance in Court,—— Therefore I do hereby bind myself, my heirs, and executors, to the Sirkar in the sum of Rupees —— to pay such sum as may be adjudged against the said defendant, and to perform whatever order or decree may be passed against him in the said suit, provided always, that the said defendant shall not have fulfilled the decree or appeared in Court when required for that purpose; as witness my hand this —— day of —— 18—.

(Signed) *By the security.*

APPENDIX G.

(See Section VIII Clause 4th.)

Form of order for sequestering the property of a defendant before judgment.

In the Court of ———

——— Plaintiff,

versus

——— Defendant.

To the Nazir of the Court of ———.

Whereas it appears that —— defendant in the above suit intends

intends clandestinely to dispose of or remove from the jurisdiction of this Court the property specified in the annexed list for the purpose of obstructing the execution of the decree, therefore you are hereby commanded to require and take * security from the said defendant in the sum of Rupees —— to satisfy the judgment of the Court, if given against him, and, if such security is not given forthwith (or before the —— day of —— as the case may be) then to attach and keep under sequestration the property specified in the annexed list, or a part thereof sufficient to fulfil the judgment, until further order of Court.

* See Appendix H.

[†And you are hereby further commanded, if security is not furnished, as aforesaid, to give public notice by reading aloud in the most public part of the town (or village as the case may be) of —— the accompanying ‡ proclamation prohibiting all persons from receiving by purchase, mortgage, sale, or otherwise, the immoveable property specified in the annexed list, until further order of Court, and you shall further cause copies of the said proclamation to be fixed up on a conspicuous part of the said property, in the Zilla Court, in the Collector's Kuchery, in the public market, or other places as may be deemed necessary.] Herein fail not.

†To be published when it is intended, without sequestrating immoveable property, to prohibit any alienation of it.

‡See Appendix I.

Dated —— day of —— 18——.

(Signed) *By the Judge,*
Senior Assistant Judge,
or
Junior Assistant Judge,
as the case may require.

The Nazir's endorsement on returning the order for sequestration into Court to be, as the case may require,

either

Executed the within order by taking § security by the bond herewith returned;

§ See Appendix H.

or

or

Executed the within order by attaching the following property, viz.——, the remainder not being found:

or

Executed the within order by attaching the moveable, and making* proclamation regarding the immoveable property, and fixing up copies as directed.

*See Appendix I.

(Signed) *By the Nazir.*

APPENDIX H.

(See Section VIII *Clause 4th.)*

Form of security bond to be taken under an order for sequestration before judgment.

In the Court of the Zilla of ———.

——— Plaintiff,

versus

——— Defendant.

Whereas an order has been issued for sequestering the following property of —— defendant in the above suit—viz.

And whereas I —— inhabitant of —— have voluntarily agreed to become security to produce the said property, or a part thereof sufficient to fulfil the judgment when required, therefore I do hereby bind myself, my heirs, and executors, to the Sirkar in the sum of —— Rupees to produce and place at the disposal of the Court, such property, or the part thereof aforesaid, when required, provided always that the said defendant shall not have fulfilled the decree in the said suit.

As witness my hand this —— day of —— 18——.

(Signed) *By the Security.*

A. D. 1827. REGULATION IV.

APPENDIX I.

(See Section VIII *Clause 9th.)*

Form of proclamation under an order for sequestration before judgment.

In the Court of the Zilla of ———.

——— Plaintiff,

versus

——— Defendant.

Whereas an order has been issued for prohibiting the disposal of the following property of —— defendant in the above suit, viz.

Therefore notice is hereby given, that all persons are prohibited from receiving by purchase, gift, mortgage, or otherwise, the said property, or any part thereof, until further order of Court, and that no purchase, gift, mortgage, or other transfer, made after this proclamation, will be effectual to alienate the said property, or any part thereof, to the injury of the plaintiff in the above suit.

Dated this —— day of —— 18——.

(Signed) *By the Judge,*
Senior Assistant Judge,
or
Junior Assistant Judge,
as the case may require.

REGULATION IV. A. D. 1827.

APPENDIX J.

(See Section XII.*)*

Form of bond in security of costs, to be taken when the plaintiff resides beyond the jurisdiction.

In the Court of ———.

——— Plaintiff,

versus

——— Defendant.

Whereas a suit has been instituted in the Court of —— by —— plaintiff, residing at —— in the —— of —— against —— defendant, and whereas it is required that the said ——, as residing without the zilla, should find security to pay the costs and obey all orders and decrees in the suit adjudged and passed, whether in the Court of —— or in the Suddur Dewannee Adawlut, —— Therefore I —— inhabitant of —— have voluntarily become security, and do hereby bind myself, my heirs, and executors &c. to the Sirkar that the said —— his heirs, and executors, shall pay all costs incurred and obey all such orders and decrees as may be given in the said suit against the said ——, whether in the Court of —— or in the Suddur Dewannee Adawlut, and in default of his so doing, I bind myself, my heirs, and executors, to pay all such sums as may be adjudged against him. Witness my hand at —— this —— day of —— 18——.

(Signed) *By the Security.*

A. D. 1827. REGULATION IV.

APPENDIX K.

(See Section XXXII *Clause 2d.)*

Form of summons for citing a witness.

In the Court of ———.

——— Plaintiff,

versus

——— Defendant.

To A. B. Inhabitant of —— and C. D. inhabitant of ——
&c. &c. &c.

You are hereby commanded to appear at the said Court on (Monday) the —— day of —— next at —— o'clock in the forenoon, to give evidence in the above suit——[* you are further desired to bring with you the &c.] —— Dated at —— this —— day of —— 18——.

(Signed) *By the Judge,*
Senior Assistant Judge,
Junior Assistant Judge,
or
Commissioner.

* This to be added when the witness is to be informed that the suit will receive elucidation from the production of a book or other article in his possession.

The endorsement on returning the original summons into Court to be, as the case may require,

either

Served by the peon —— upon the witness A B. on the —— day of —— 18——.

or

Not served upon the witness C. D. who after diligent search by the peon —— charged with the duty could not be found:

and the following to be added in all cases:

CHARGES.

Allowance due to the peon —— being Rupees —— for ——
days

days occupied in going to and returning from the town (or village &c.) of —— a distance of —— at the rate of —— per day.

(Signed) *By the Nazir.*

APPENDIX L

(*See Section* XXXII *Clause 5th.*)

Form of warrant for bringing before the Court a witness who has neglected to appear.

In the Court of ——.

—— Plaintiff,

versus

—— Defendant.

To the Nazir of the Court of ——.

Whereas —— witness in the above cause, although duly summoned, has failed to appear,—Therefore you are hereby commanded to bring him forthwith before the Court. Herein fail not.

Dated at —— this —— day of —— 18——.

(Signed) *By the Judge,*
Senior Assistant Judge,
Junior Assistant Judge,
or
Commissioner,
as the case may require.

A. D. 1827. REGULATION IV.

APPENDIX M.

(*See Section* XLVI *Clause* 1*st.*)

Form of proclamation calling upon all persons, having claims as heirs, to appear in a suit.

PROCLAMATION.

In the Court of ———.

——— Plaintiff,

versus

——— Defendant.

Whereas the said —— plaintiff has brought a suit against the said —— defendant to recover possession of a sum of Rupees —— (*or* of a dwelling house in —— *or* as the case may be) due to (or the property of) —— deceased, This is to give notice to all persons, having, or claiming to have, a title to the said sum of money (*or* dwelling house) as heirs of the said —— to appear in the said Court within —— days from the date of this proclamation, there to enter, and prosecute their claim.

Dated at —— this —— day of 18——.

(Signed) *By the Judge,*
Senior Assistant Judge,
Junior Assistant Judge,
or
Commissioner,
as the case may require.

REGULATION IV. A. D. 1827.

APPENDIX N.

(See Section LXVI *Clause 2d.)*

Form of proclamation intimating a sale of property.

Sale of property at ———.

In the Court of ———.

——— Plaintiff,

versus

——— Defendant.

Whereas the said —— on the —— day of —— 18—— obtained a decree against the said —— for the sum of —— whereof —— still remains due, and whereas the following property of the said —— has been attached for the said debt viz.

This is to give notice that the said property so attached will be sold by public auction on the —— day of —— at the hour of —— in the forenoon, at the dwelling house of the said —— (*or* at the market place of —— *or* on the lands of —— &c. as the case may be), unless such sale shall be objected to, either wholly or in part, by another claimant to the property, who either shall have satisfied the creditor, or the Nazir (or other officer superintending the sale) of his right to the things so claimed, or who shall produce a certificate that he has filed a suit in support of his claim, or engage, under such penalty as may be imposed, to file such suit within thirty (30) days after the day advertised for the sale.

Dated this —— day of —— 18——.

(Signed) *By the Nazir.*

APPENDIX O.

(*See Section* LXXV.)

Form of bond to be entered into by the security of an appellant.

In the Court of ———.

——— Plaintiff,

versus

——— Defendant.

Whereas a decree was passed in the above suit on the —— day of ——, against which the said —— is desirous of appealing to the Court of ——, Therefore I, as security for the said ——, do hereby bind myself, my heirs and executors, to the Sirkar, that the said —— shall pay all such costs as may be awarded against him in the said appeal, and in default of his so doing, I bind myself, my heirs and executors, to pay the said costs; as witness my hand this —— day of —— 18——.

(Signed) *By the Security.*

APPENDIX P.

(*See Section* LXXX.)

Form of notice to be given to the parties when an appeal is admitted.

In the Court of ———.

——— Plaintiff,

versus

——— Defendant.

Whereas a decree was passed in the above suit by the Judge (*Senior Assistant Judge, Junior Assistant Judge,* or *Commissioner* as the case may be) of ——, on the —— day of —— against which the said —— has (or *you have,* as the case may be) applied for permission to appeal,

Take

Take notice therefore, that the appeal applied for has been admitted, and will be tried by the Suddur Dewannee Adawlut (or *this Court*, as the case may be).

Dated this —— day of —— 18——.

(Signed) *By the Judge,*
or
Senior Assistant Judge.

APPENDIX Q.

(*See Section* LXXXI *Clause 2d.*)

Form of bond to be taken when execution is stayed in an appeal.

In the Court ———.

——— Plaintiff,

versus

——— Defendant.

Whereas a decree was passed in the said Court on the —— day of —— adjudging the said —— to pay the sum of —— to the said —— (or *to transfer to the said —— a house situated at ——*, or *—— begas of land situated at ——* or *to perform certain acts* &c. &c. as the case may be), against which decree the said —— has appealed; and whereas it has been ordered by the said Court, that the execution of the said decree should be stayed, if the said —— the appellant (or *enforced if the said —— the respondent,* as the case may be,) find security in the sum of —— for the performance of the decree that may be passed upon appeal; Therefore I ——, inhabitant of ——, have voluntarily become security, and do hereby bind myself, my heirs and executors, to the Sirkar, that the said —— his heirs and executors shall obey and fulfil all such orders and decrees as may be given against the said —— in such appeal, and in default of his so doing, I bind myself, my heirs and executors, to pay all such sums as the Court

may

may adjudge against him to the extent of —— as aforesaid: witness my hand at —— this —— day of —— 18——.

(Signed) *By the Security.*

APPENDIX R.

(*See Section* LXXXIII *Clause 2d.*)

GENERAL REGISTER of appeals filed in the Court of Suddur Dewannee Adawlut (or *in the Court of the Zilla of* ——— as the case may be) *in the year* ——.

	No. of the Register.	Original registry.	Date on which filed.	Names of parties.	Subject of the appeal.	Amount.	Date and abstract of decree in appeal.
Sudder Adawlut.	No. 1.	No. 9 of 18— of Broach,	1st March.	Juggevan Moody, Appellant, *versus* Hirjee Cawajee, Respondent,	Against a decree adjudging 100 beegas of land to the respondent,	Rs. 1000	25th June. Judgment for appellant.
Zilla Court.	No. 1.	No. 157 of 18—	25th Jan.	Laldass Petamber Appellant, *versus* Purbhoodas Dyram, Respondent,	Against a decree adjudging payment of a bond,	Rs. 600	3d March Judgment for appellant.

APPENDIX S.

(*See Section* LXXXIV.)

Form of summons to parties to appear in appeal.

In the Court of ———.

——— Appellant,

versus

——— Respondent,

To ——— Appellant,

or ——— Respondent,

(*as the case may be.*)

Whereas a decree was passed on the —— day of —— in the Court of

of ——, against which decree the said —— has (or *you have*, as the case may be,) appealed to the Court of ——, you are therefore hereby required to appear, personally or by vakeel on the —— day of —— to prosecute (or *defend*, as the case may be,) the said appeal; in default whereof, the said appeal will be heard and determined in your absence.

Dated at —— this —— day of —— 18——.

(Signed) *By the Register*,
or *Assistant Register*,
if in the Suddur Dewannee Adawlut,
and
By the Judge,
or *Senior Assistant Judge*,
if in the Zilla Court.

(Branch of Civil Judicature.)

A. D. 1827. REGULATION V.

A REGULATION *defining the limitations, as to time, within which Civil Actions may be prosecuted, and containing rules of judication respecting written acknowledgments of debts executed without receipt of a full consideration, also regarding interest, the tendering payment of debts, and the disposal of property mortgaged or pledged.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of five (5) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Of limitations of time for prosecuting Civil Actions*.....	I.
II.	*Of acknowledgments of debts executed without receipt of a full consideration in value*.....	IX.
III.	*Of the rate of interest and the period during which it may continue*.....	X.
IV.	*How a claim to interest is affected by tender of payment*.....	XIV.
V.	*Of the disposal of property mortgaged or pledged*.....	XV.

LIBRARY OF THE BOMBAY BRANCH OF THE ROYAL ASIATIC SOCIETY.

REGULATION I. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

For forming into a regular Code all rules that may be enacted for the internal Government of the Territories Subordinate to the Presidency of Bombay.

Chapter I. commencing with Section I.	Rescission of former Regulations.	
Chapter II. commencing with Section II.	Forms of framing and publishing Regulations.	
Chapter III. commencing with Section VI.	Application and effect of Regulations.	
Chapter IV. commencing with Section VIII.	Rules for suspending the force of Regulations, and resorting to Martial Law in cases of necessity.	

REGULATION II. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

For defining the constitution of Courts of Civil Justice, and the powers and duties of the Judges and Officers thereof.

Chapter I. commencing with Section I.	Of the Supreme Court, or Sudur Adawlut.	
Chapter II. commencing with Section XVI.	Of Zillah Courts, inclusive of the Subsidiary Courts of the Assistant Judges.	Section XXVIII. Partly rescinded by Section II. Regulation I. A. D. 1830.
Chapter III. commencing with Section XXXIV.	Of the appointment, removal and punishment of Officers of Courts.	
Chapter IV. commencing with Section XXXVII.	Of Courts of Commissioners for deciding Civil Suits.	
Chapter V. commencing with Section XLV.	Of Courts for the recovery of debts due by British subjects.	
Chapter VI. commencing with Section XLVII.	Of Pleaders.	

REGULATION VII. A. D. 1828.

(SUPPLEMENT 1ST TO REGULATION II. A. D. 1827.)

PASSED ON THE 20TH AUGUST 1828.

Instituting a Court of Appeal for the Zillas comprized in the Province of Guzerat Subordinate to the Supreme Civil Jurisdiction of the Suddur Dewanee Adawlut.

Rescinded by Section 1 Regulation I. A. D. 1830.

REGULATION I. A. D. 1830.

(SUPPLEMENT 2ND TO REGULATION II. A. D. 1827.)

PASSED ON THE 27TH JANUARY 1830.

...ding Regulation VII. of 1828, and extending the Jurisdiction of Native Commissioners to the cognizance of all Original Suits of whatever amount.

REGULATION XVIII. A. D. 1831.

(SUPPLEMENT 3RD TO REGULATION II. A. D. 1827.)

PASSED ON THE 14TH DECEMBER 1831.

For instituting gradations of Rank in the Judicial Appointments conferred on Natives and defining the authority to be exercised, by each Rank.

REGULATION III. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

Containing Provisions as to the Official Proceedings in general, of Courts of Civil Justice, their Sittings, the mode of communicating with them, the mode of keeping the Minutes of their Proceedings, the Sealing, Signing and Language of Process, and the grant of copies of Papers on their Records.

Chapter I. commencing with Section I.	Of the sittings of Courts of Civil Justice and the mode of communicating with them.	
Chapter II. commencing with Section IV.	Of the Minute of Proceedings.	
Chapter III. commencing with Section IX.	Of the Sealing, Signing and Language of Process.	
Chapter IV. commencing with Section XII.	Of granting Copies of Papers.	

REGULATION IV. A. D. 1827.

PASSED ON THE 1ST JANUARY 1827.

...escribing the forms of Proceedings of the Courts of Law in Civil Suits and ... Rules for the Trial of the same.

Chapter I. commencing with Section I.	Preliminary explanations of the effect of certain terms, when used in this Regulation.	

(Branch of Civil Judicature.)

REGULATION V. A. D. 1827.

A REGULATION *defining the limitations, as to time, within which Civil Actions may be prosecuted, and containing rules of judication respecting written acknowledgments of debts executed without receipt of a full consideration, also regarding interest, the tendering payment of debts, and the disposal of property mortgaged or pledged.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883; *Salbahan* 1748 *and* 2d *Jummadyoolakhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is conducive to the public security and the quieting of disputes, that limitations should be prescribed to the period within which civil suits may be instituted, and, whereas justice, the interests of trade, and the easy and secure transaction of money dealings require, that the effect of written acknowledgments of debts, when the receipt of a full consideration is contested, should be defined and made known, and, that certain provisions should be framed for the calculation of the interest of money, and for limiting the amount thereof, and for determining the effects of tenders of payment, and the rights of parties concerned in property mortgaged or pledged, the following

ing

ing rules have therefore been enacted, to have effect from such date as shall be prescribed in a regulation to be hereafter passed for that purpose.

CHAPTER I.

OF LIMITATIONS OF TIME FOR PROSECUTING CIVIL ACTIONS.

Possession of land &c. for more than thirty years a good title,

SECTION I.—*Clause 1st.*—Whenever lands, houses, hereditary offices, or other immoveable property, have been held without interruption for a longer period than thirty years, whether by any person as proprietor, or by him and his heirs, or others deriving right from him, such possession shall be received as proof of a sufficient right of property in the same:

unless such possession was acquired by fraudulent means;

Clause 2d.—But it shall be a sufficient answer to the plea of the possession for more than thirty years, that the person in possession, as proprietor, or any of the persons by whom he derives his right, acquired such possession by fraudulent means,

when it may be disturbed within sixty years,

on proof whereof a suit may be entertained at any period within sixty years:

except possession without fraud has extended to thirty years.

Clause 3d.—Provided that, if such property has been held for more than thirty years, by a person or persons *bonâ fide* believing his or their title as proprietors to be good, such title shall not be affected by the fraud of a former possessor:

When the person who committed the fraud is liable for damages within sixty years.

Clause 4th.—Nothing contained in this Section shall bar an action of damages brought within sixty years, against any of the persons by whom the fraud was committed.

Direct insult and injuries to the person actionable only within twelve months:

SECTION II.—*Clause 1st.*—In all suits for damages on account of assaults, imprisonment, or other direct insult or injury to the person, it shall be a sufficient defence that the cause of action arose more than twelve months before the suit was filed:

Clause

A. D. 1827. REGULATION V.

Clause 2d.—And in all suits for damages on account of calumny or slanderous words, it shall be a sufficient defence that the plaintiff had been in the knowledge of the calumny or slanderous words more than twelve months before the suit was filed:

also calumny and abuse:

Clause 3d.—In all suits for recovering the right of participation in Caste communications and privileges it shall be a sufficient defence, that the plaintiff had been acquainted with his exclusion from the Caste more than twelve months before the suit was filed.

also exclusion from Caste.

SECTION III.—*Clause 1st.*—In all civil suits for debts not founded upon, or supported by an acknowledgment in writing, and in all suits for damages other than those specified in the preceding Section, it shall be a sufficient defence that the cause of action arose more than six years before the suit was filed:

Suits for debt not supported by a writing, and all suits for damages not previously specified, competent only within six years:

Clause 2d.—But in the case of running accounts, the time shall be reckoned from the date of the last transaction.

how reckoned in running accounts:

SECTION IV.—In all suits not falling under any of the limitations in the preceding Sections of this Chapter, it shall be a sufficient defence that the cause of action arose more than twelve years before the suit was filed:

All suits not previously specified competent within twelve years.

SECTION V.—*Clause 1st.*—But in all cases in which actions may be brought against the Thakor of Bhownuggur for lands or other immoveable property as specified in Section I, Clause 1st, it shall be a sufficient answer that he acquired such previously to the 31st December 1802, and has since held possession of the same under a title conferring a *bonâ fide* right of property:

Special exception in the case of actions against the Thakor of Bhownuggur, for immoveable property:

Clause 2d.—No other demand whatever against the Thakor of Bhownuggur, which is of a date prior to the 20th July 1815,

and on any other ground

is cognizable in the Courts of Justice, even though the case should be a running account, and transactions should have occurred in the same subsequently to the above specified date:

with which exception suits are competent against him.

Clause 3d.—Subsequent to the date specified in the two preceding clauses, all actions against the Thakor of Bhownuggur shall be subject to the usual limitations.

Special mode of calculating periods of limitations in the cases of creditors of ryots of the old Broach Zilla.

SECTION VI.—And whereas, from certain circumstances the creditors of ryots in the old Broach Zilla did not enjoy the same facility as others in obtaining a hearing of their cases, until 7th April 1824, the period of time which has elapsed since the institution of the Broach Adawlut to the said 7th April 1824 shall be rejected in calculating the periods of limitation as prescribed in Sections III and IV, within which those suits, in the cases of those individuals, may be heard and determined.

Mode in which periods of limitations are to be reckoned,

SECTION VII.—*Clause 1st.*—If however a defence be rested on any limitation of time heretofore specified in this Chapter, and the claimant prove that the defendant, or person from whom he derives right, had admitted the justice of the demand, then the time of limitation shall be reckoned from the date of such admission, provided that, if the demand be founded on a written acknowledgment of any sort, the admission, if it shall have been made subsequently to the date which shall be fixed for the commencement of the operation of this Regulation, must also be in writing:

if the justice of the demand was admitted:

Or, if investigation had been commenced, and the absence of a decision is satisfactorily explained.

Clause 2d.—Also, if the claimant have within the time of limitation preferred his claim to any authority (arbitration included) competent to try it, and satisfactory reason be shewn why a decision was not passed, (such reason nowise affecting the justice of the demand) then the period of limitation shall be reckoned from the date of the last proceeding known to the defendant in such case.

Clause

A. D. 1827. REGULATION V.

Clause 3d.—And in cases of the minority or continued Insanity of the claimant, no Limitation shall bar the recovery of a Claim sued for within six years of the Minor attaining the Age of eighteen years, or the insane Person recovering the use of Reason, and if a claimant die during such minority or Insanity the said Period of six years from his Death shall be applied to suits entered by his Heirs or Executors.

Or if the plaintiff was a Minor or insane.

When six years shall be allowed at all events from his minority or recovery or from his death.

Clause 4th.—Except in actions for Damages as described in Section II of this Regulation, in which cases a Period of only one year shall be allowed instead of the Period of six years recited in the preceding Clause.

Except in certain suits for damages for which one year only is allowed.

SECTION VIII.—*Clause 1st.*—If a person claim to recover property held in mortgage, pledge, pawn or deposit, or by other title conferring only a right of possession and not a right of ownership, in such case no length of time shall prevent the Court's entertaining the suit.

Mortgaged property always recoverable.

Clause 2d.—But should such property have been held, if immoveable for more than thirty years by a bonâ fide possessor as proprietor, or, if moveable, for any time by a person possessing bonâ fide as proprietor, under a right founded on an equitable consideration, such possessor shall not be disturbed, though an action of damages may be entertained against the person, by whom it was illegally alienated.

Unless held in bonâ fide ownership for more than thirty years, if immoveable property or any period if moveable.

When the first alienator may be sued.

CHAPTER II.

OF ACKNOWLEDGMENTS OF DEBTS EXECUTED WITHOUT RECEIPT OF A FULL CONSIDERATION IN VALUE.

SECTION IX.—*Clause 1st.*—Written acknowledgments of debt in any shape shall not be held conclusive in a Court of Law as to the amount, if the Defendant shew that a full consideration has not been received.

Writings in cases of debt not full proof of the amount if contrary proof is advanced.

Clause

And in certain cases if merely contested by the defendant.

Clause 2d.—And in the case of a Cultivator of the Soil sued upon a written acknowledgment executed at a Place, which was not at the time of such execution under British Jurisdiction, if the circumstances are such as to convince the Court, that the Creditor might reasonably be expected to possess other proof of the amount besides such written acknowledgment, (the consideration received for the same being contested) then the said writing shall not be held conclusive as to the amount, whether the Defendant prove a deficiency in the consideration or not, but the Court shall pass a Decree for only such amount as the claimant may otherwise prove to be due.

CHAPTER III.

OF THE RATE OF INTEREST AND THE PERIOD DURING WHICH IT MAY CONTINUE.

Lawful interest to be such as is agreed upon or is usual.

SECTION X.—*Clause* 1*st.*—Whenever in any transaction a certain rate of interest has been agreed upon, or is demandable by the usage of trade, or the custom of the Country, such rate of interest shall be lawful and binding upon the parties.

Or if such cannot be ascertained then 9 per cent per annum.

Clause 2d.—Whenever in any transaction, on which interest is due, no certain rate has been agreed upon or is demandable by the usage of trade or the custom of the Country, three quarters per centum per each month of 30 days shall be the judicial interest or rate allowed in Courts of Civil Judicature.

Compound interest allowed after one year if the contrary is not agreed upon.

SECTION XI.—In all transactions on which interest is due, whenever the debt or account is of more than one year's standing, compound interest shall be allowed, where there is no special agreement or usage to the contrary, and in such case the balance including simple interest due at the Dewalee or other customary period of settlement in each year, shall be carried forward to the next year's account as a principal sum bearing interest.

A. D. 1827. REGULATION V.

But to cease after an interval of six years.

SECTION XII.—Whenever for the space of six years complete no transaction has taken place in regard to a debt or account, whether by payment of money or delivery of goods made on either side, or by the debtor signing an account made up with interest or making written acknowledgment that interest is to continue, all further interest shall cease, and it is hereby explained, that this Regulation is not meant to interfere with the rule of Hindoo Law which limits the interest of money to the amount of the principal, and which shall accordingly be maintained by the Courts in all applicable cases.

The Hindoo Law on the interest of money being also maintained.

Specification of prior enactments on the subject of interest.

SECTION XIII.—*Clause 1st.*—Whereas by Sections VI and VII of Regulation 1st A. D. 1814, passed on the 12th January of that year for determining "the rate of interest on money "in the provinces subject to the Presidency of Bombay" which Regulation has subsequently from time to time been extended to certain of the territories more recently acquired, it was provided, "that Bonds or Instruments which may appear to "have been given after the expiration of twelve months, sub- "sequently to the issue of this Regulation, for the security and "evidence of debts, and bearing a higher rate of interest than "twelve per centum per annum shall not be recoverable in the "Courts of Adawlut and that where suits may be prosecuted "on Bonds or Instruments given prior to the issue of this Re- "gulation, the Courts of Adawlut shall not decree the adjustment "of such debts at a higher rate of interest than 12 per centum "per annum."

And application of them to territories subsequently acquired.

Clause 2d.—And whereas principles of equity and the spirit of the Regulations require, that the penal effects of the provisions above recited should not commence, with regard to the territories more recently acquired, until the expiration of twelve months subsequently to the passing of the Regulations extending the said provisions to each portion of territory respectively.

Clause

REGULATION V. A. D. 1827.

Provision resulting from such specification and application.

Clause 3d.—Therefore, it is hereby declared, that whenever a Suit is instituted for the recovery of a debt due on a Bond or other Instrument executed prior to the 12th of January 1815, in the territories specified in Appendix A. or in the terrritories enumerated in Appendix B, prior to the dates therein specified as applicable to each portion of the said territories respectively, the Court shall not Decree interest on such debt at a higher rate than 12 per centum per annum, and that no debt due on a Bond or other Instrument executed in the said territories, on or after the said dates respectively, and prior to the date which shall be fixed for the commencement of the operation of this Regulation shall be recoverable in any Court, if it bear a higher rate of interest than 12 per centum per annum

CHAPTER IV.

HOW A CLAIM TO INTEREST IS AFFECTED BY TENDER OF PAYMENT.

Interest ends upon a tender made.

SECTION XIV.—If a debtor can prove that he has tendered to a creditor the whole or any portion of the amount due, all further interest shall cease on the amount tendered.

CHAPTER V.

OF THE DISPOSAL OF PROPERTY MORTGAGED OR PLEDGED.

Mortgaged property if not otherwise agreed is sole security for the debt principal and interest.

SECTION XV.—*Clause 1st.*—When a creditor is placed in possession of property by mortgage, or otherwise, as security for a debt, his claim over such property shall in the absence of other special agreement constitute his sole security for payment of the debt, or such part of it, as the said property may have been given in security for, and interest thereon is to be considered as included in the said security.

Any profit from such property in such cases to be reckoned in lieu of interest.

Clause 2d.—If the property yield profit, and no stipulation has been made respecting the disposal of the said profit, or payment of interest on the debt, the profit shall be considered as equivalent for the interest.

Clause

A. D. 1827. REGULATION V.

Clause 3d.—In the absence of any special agreement or recognized law or usage to the contrary either party may, at any time, by the institution of a civil suit, cause the property to be applied to the liquidation of the debt, the surplus, if any, being restored to the owner.

Either party, unless otherwise agreed, may cause the debt to be defrayed from the property.

APPENDIX A.

Territories within which bonds or other instruments bearing a higher rate of interest than 12 *per cent. per annum, if executed prior to the* 12*th January* 1815, *can recover in the Courts interest at the rate only of* 12 *per cent. per annum, and if executed on or after the above mentioned date, and prior to the date which may be fixed for the commencement of the operation of Regulation* V A. D. 1827, *are not recoverable in any Court.*

SURAT ZILLA.

TERRITORY.

The city and port of Surat and Town of Randier and their dependencies.

The purgunnas of Chowrassee, Chiklee, Bulsar, Parneira, Bhootsur, Parchol, Soopa, Surbhan, Walor and Boharee.

The Kusba of Bardolee, and the villages of Kutturgaum, Koomareea and Phoolpara.

BROACH ZILLA.

The Town and purgunna of Broach and the purgunnas of Hansoot and Oklasur.

EASTERN ZILLA NORTH OF THE MYHEE.

The Enam town of Kaira and its dependencies, the tuppa of Naupar,

REGULATION V. A. D. 1827.

Naupar, and the purgunnas of Neriad, Mahtur, Moondha, and Dholka to the East of the Saburmutty river.

WESTERN ZILLA NORTH OF THE MYHEE.

The purgunnas of Dundooka, Gogo, Ranpoor, and Dholka to the West of the Saburmutty river.

ZILLA OF THE NORTHERN KONKAN.

The Islands of Salsette and Caranjah, and their dependencies.

ZILLA OF THE SOUTHERN KONKAN.

Fort Victoria and its nine (9) dependent villages, the fort and island of Sindoodroog in Malwan, the forts of Pudunghur, Rajkot and Serjeekot, with their dependent villages and lands, and the fort and valley of Vingorla.

APPENDIX B.

Table shewing the territories rendered subject to the Regulations at various periods subsequent to the passing of Regulation I A. D. 1814 *the Regulation or other authority causing such application of the Regulations, and the date, being one year after the date of such authority, from which in each case the provisions of Sections* VI *and* VII *Regulation* I A. D. 1814 *become of force, in the same way as from the* 12th *January* 1815 *in respect to the territories specified in Appendix* A.

SURAT ZILLA.

REGULATION OR OTHER AUTHORITY.	TERRITORY.	DATE WHEN REG. I OF 1814 COMMENCED OPERATION.
Reg. I of 1817.	The purgunna of Currode.	23d April 1818.
Regulation III of 1819.	The purgunnas of Bugwara and Turkeysir. The Kusba of Mota in Surat Attaveesy, The village of Mugdula with some adjoining lands of the village of Peeplod. The purgunna of Oolpar.	14th Apr. 1820.

BROACH ZILLA.

Regulation VI of 1817.	The purgunnas of Jumbooseer, Ahmod and Dejbara.	27th Aug. 1818.

EASTERN ZILLA NORTH OF THE MYHEE.

Regulation I of 1817.	The Purgunna of Kupurwunj. The tuppa of Bhalej. The four (4) villages of Sundana, Antroly, Wasna and Kurnej.	23d Apr. 1818.
Regulation III of 1819.	The purgunnas of Mahmoodabad, Alenah, (except the two villages of Nikol and Sanoda) Antroly, Tasra, and Duskuroee to the east of the Kharee river. The Paishwa's share of the Petland purgunna. The town of Oomrut.	14th Apr. 1820.

WESTERN

WESTERN ZILLA NORTH OF THE MYHEE.

REGULATION OR OTHER AUTHORITY.	TERRITORY.	DATE WHEN REG. I OF 1814 COMMENCED OPERATION.
Regulation III of 1819.	The city of Ahmedabad, The Duskuroee purgunna to the west of the Kharee river, The purgunnas of Veerumgaum and Purantej, The two (2) villages of Nikol and Sanoda in the Alena purgunna, The Paishwa's share of the districts of Byar, Hursol and Morassa.	14th Apr. 1820.

ZILLA OF THE NORTHERN KONKAN.

Regulation VI of 1817.	The districts of Bellapoor, Autgaum and Kalian, and all the other territories of the Paishwa Bajee Row extending North of those districts as far as the Demaun river, and lying between the Ghauts and the sea.	27th Aug. 1818.
Regulation III of 1819.	The territories of the Paishwa Bajee Row extending South of the districts of Bellapoor, Autgaum and Kalian, as far as the Apta river, and lying between the Ghauts and the sea, with the exception of the town of Apta, and the villages of Korulwaree and Sendapoor in the Kurnala talooka.	14th Apr. 1820.
Treaty with the Colaba state.	So much of the Uoorwuleet turuf, North of the Apta, as belonged to the state of Colaba, with the exception of the following ten (10) villages and twenty five (25) Khars.	6th June. 1825.

Villages.

Woolvie,	Parengur,
Turghur,	Koondeywal,
Dapolee,	Masor,
Kopur,	Awrey,
Pohee,	Gowan.

Khars.

ZILLA OF THE NORTHERN KONKAN.

(Continued.)

REGULATION OF OTHER AUTHORITY.	TERRITORY.	DATE WHEN REG. I OF 1814 COMMENCED OPERATION.
	Khars.	
	Nandaee Neemba, Khar Wasunee, Hurrichundur Peemplee. Kaljee Gobur, Boorey Boozoorg, Band Khar, Khat Khar, Waltee, Mhalaee, Sonkhar, Bhangaree-boozoorg, Rel Khar, Pond Khar, Shemptee, Waltee, Danwacha-kota, Chiklee-bhom, Motee Khar, Ranjun Khar, Hurischundur-kota, Gowendee, Boree-khoord, Boree-cha-kota, Kopur, Pota-cha-moonh.	
	So much of the Toongartun Muhal, North of the Apta, as belonged to the state of Colaba with the exception of the village of Wat. The four (4) villages Tulowrey, Chandajee, Goorvey and Nurol in the Vuredy turuf.	
Treaty with the Colaba state.	The two (2) villages Dewroog and Khurwar-boozoorg in the Soonalee turuf. The village Amburjey in the Sherey turuf. The village Ambolee in the Burey turuf. The three (3) villages Nitaley, Nourey and Khyruney in the Tulozeh turuf. The three (3) villages Kampolee, Dewkur and Bhanwuj in the Bortee turuf.	6th June 1825.

ZILLA OF THE SOUTHERN KONKAN.

Cession by the Waree state.	The actual possessions of the Waree state in Wurar and Muloondee.	29th Jan. 1815.

The

REGULATION V. A. D. 1827.

ZILLA OF THE SOUTHERN KONKAN.

(*Continued.*)

<table>
<tr><th>REGULATION OF OTHER AUTHORITY.</th><th>TERRITORY.</th><th>DATE WHEN REG. I OF 1814 COMMENCED OPERATION.</th></tr>
<tr><td>Reg. III of 1819.</td><td>The territories of the Paishwa Bajee Row bounded on the North by the Apta river and on the South by the Karlee or Malwan river, and lying between the Ghauts and the sea, with the four (4) following exceptions.
1st.—The Oonderee talooka, except the village of Khar Dolvie, which village belongs to the zilla.
2d.—The three (3) following villages in Chawool; viz. Waolee, Karley and Komprolee.
3d.—The five (5) following Warees in Chawool and Thul, viz. Pakaree Rameshwur, Pakaree Bolawee, Ramajee Mahadeo, Veesajee Keshow and Wursolee.
4th.—The oarts belonging to and situated without the walls of the fort of Rewdunda.</td><td>14th Apr. 1820.</td></tr>
<tr><td>Regulatian III of 1820.</td><td>The nine (9) following sea coast villages in the turufs of Ajgaum and Paut, viz.
<table><tr><th>OF AJGAUM.</th><th colspan="2">OF PAUT.</th></tr><tr><td>Raree,
Arowlee,
Seerodee.</td><td>Dabolee,
Kanolee,
Keyloos.</td><td>Mahapun with the adjoining fort of Newtee.
Konchuree,
Purolen.</td></tr></table></td><td>17th May 1821.</td></tr>
<tr><td>Treaty with the Colaba state.</td><td>So much of the Toongartun turf situated South of the Apta river, as belonged to the state of Colaba, with the exception of the village of Khuraree boozoorg.
The two (2) villages Wureree and Shetolee and the four (4) Khars, Sonkhar, Dhadur Khar, Khar Dubaba and Dolvie Khar in the Humrapoor turuf.</td><td>6th June 1825.</td></tr>
</table>

(Branch of Civil Judicature.)

A. D. 1827. REGULATION VI.

A REGULATION *for admitting persons to sue or defend in Suits or Appeals* in formâ pauperis.—PASSED *by the Governor in Council on the 1st January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

(Branch of Civil Judicature.)

REGULATION VI. A. D. 1827.

A REGULATION *for admitting persons to sue or defend in suits or Appeals in formâ pauperis.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883; *Salbahan* 1748, *and* 2d *Jumadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is necessary that provision should be made to enable certain persons to sue or defend in suits or appeals in formâ pauperis, who from their indigent circumstances would not otherwise have the means of asserting their rights in Courts of Justice, the following rules are, therefore, enacted, to take effect from such date as shall be prescribed in a regulation to be hereafter passed for that purpose.

A person wishing to sue as a pauper to present to the Judge a petition on unstamped paper,

SECTION I.—*Clause* 1*st*—Whenever a person is desirous of instituting a suit in any Court as a pauper, he may present to the Zilla Judge a Petition on unstamped paper, which shall contain the particulars required by Regulation IV. A. D. 1827 Section III. in regard to Plaints.

With a written declaration of poverty on unstamped paper,

Clause 2*d.*—He shall at the same time present a declaration in writing on unstamped paper, that, besides his dwelling place, clothes, tools, and other necessaries of a value not exceeding twenty Rupees in the whole, he is not possessed of sufficient property to enable him to pay the probable expences of the suit.

Clause

And a schedule of his property.

Clause 3d.—The declaration shall be accompanied by a Schedule of the whole of the property moveable or immoveable belonging to the Petitioner, with the estimated value of such property.

And a certificate to support such declaration and schedule.

Clause 4th.—It shall further be accompanied by a certificate of the Patel of the village in which the Petitioner resides, or of one of the principal revenue or other officers of the District, or of some other person of respectability, purporting that such Patel, district officer, or other person believes the facts stated in the declaration to be true, but the Judge may dispense with the certificate, if satisfactory reasons are assigned for its not having been obtained.

The Judge may reject the application,

SECTION II.—*Clause 1st.*—The Judge on receiving the plaint, if he does not consider that the facts alleged constitute a reasonable ground for instituting a suit, shall reject it, but otherwise, he shall require the Petitioner to verify his assertion

Or call upon the petitioner to verify his assertion of poverty,

both as to his claim and as to his poverty, either upon oath or by a solemn declaration, after being judicially admonished, and shall demand such further explanations from him under the like sanction as he may deem requisite.

A day being appointed for the investigation thereof,

Clause 2d.—The Judge shall further fix a day (of which at least ten days' previous notice shall be given both to the Petitioner and to the person complained against) for receiving either before himself, one of his Assistants, or one of the law Officers of the Court, such evidence as the Petitioner may adduce, in proof of his poverty, and such objections and evidence as the adverse party may offer to disprove it.

To be conducted in a summary manner.

And whether the defendent appears or not.

Clause 3d—The investigation may be conducted in a summary manner, without reducing the evidence to writing, and may proceed, whether the person complained against appears or not.

SECTION

A. D. 1827. REGULATION VI.

If the poverty is proved the petitioner may sue as a pauper.

SECTION III.—*Clause* 1*st*.—If the investigation shall establish the fact of the Plaintiff's poverty, the Court shall admit him to sue as a pauper.

Restriction of the admission of persons to plead as paupers.

Clause 2*d*.—But no person shall be permitted to sue as a pauper, if it appears that, besides his dwelling place, clothes, tools, and other necessaries to the value of twenty Rupees in the whole, he possesses property sufficient to defray the probable expences of the suit, or that he has sold, mortgaged, or otherwise transferred any property for the purpose of being admitted to sue as a pauper.

Pauper suits conducted like others but without expense to the pauper.

SECTION IV.—If the application of the Petitioner is granted, the suit may be filed, and shall proceed, in the same way as an ordinary suit, excepting that the whole subsequent proceedings and pleadings on the part of the Plaintiff, and the copies of any papers furnished to him in the suit, shall not be required to be upon stamped paper, and that he shall not be subjected to any charge for Batta to Peons, expences of witnesses, Fees of Pleaders or otherwise, either on account of the suit, or for obtaining execution of the Decree.

Who is to be allowed a pleader.

SECTION V.—If a person admitted to sue as a Pauper is unable to prevail on any of the authorized pleaders to undertake the management of his suit, the Judge, if applied to, may appoint any one of them to do so.

The pauper's expences how defrayed.

SECTION VI.—Such part of the expences of the suit which would have been incurred by the Plaintiff if he had not been a pauper, as may be due to individuals not on the establishment of the Court, shall, if not paid by the pauper, be discharged by the Collector, upon certificate under the signature of the Judge.

Recorded.

SECTION VII.—On the conclusion of the suit the whole of the

costs

costs which would have been incurred by the Plaintiff, had he not been admitted to sue as a pauper, shall be ascertained and entered in the Decree.

And recovered when the decree is in favor of the pauper.

SECTION VIII.—If the Decree is in favor of the Plaintiff, the costs, or such part of them as the Court may decree, shall be recovered from the Defendant for the benefit of the Government, the Pleader, and other parties entitled thereto, and, in all cases, the sum first recovered shall be applied to the payment of costs.

The same being recoverable from him under the ordinary rules when the decree is against him.

SECTION IX.—If the Decree is against the Plaintiff, the Defendant, if payment of costs is awarded, may proceed against the Plaintiff under the ordinary rules for the enforcement of decrees.

A person wishing to defend as a pauper to present to the Court a petition &c. on unstamped paper.

SECTION X.—*Clause* 1*st.*—If a Defendant in a suit is desirous of pleading as a pauper, he shall present to the Judge a Petition on unstamped paper setting forth his request and containing the declaration specified in Section I, Clause 2d: the petition shall further be accompanied by the papers specified in Clauses 3d and 4th of the above quoted Section.

The poverty to be verified.

Clause 2*d.*—The Judge on receiving the petition shall require the Petitioner to verify the declaration in the manner prescribed in Section II Clause 1st of this Regulation, and the

And the application disposed of as in the case of a Plaintiff.

application shall thereupon be proceeded on, in the manner prescribed in Clauses 2d and 3d of the same Section.

The defendant to plead in the same way.

Clause 3*d.*—The Defendant, if admitted as a pauper, shall be entitled to the same privileges, and be subject to the same rules and provisions, that apply to the case of a Pauper Plaintiff.

Pauper appellants and

SECTION XI.—*Clause* 1*st.*—A person may also be permitted

to

to sue or defend in appeal as a Pauper, under the rules respectively applying to Plaintiffs and Defendants in original suits, but, if the appeal be to the Suddur Dewannee Adawlut, the Respondent may at his option present his petition to be admitted as a pauper either to the Suddur Dewannee Adawlut, or to the Zilla Judge, by whom it shall be transmitted to the superior Court.

Respondents admitted under the previous rules.

Except that the Suddur Dewannee Adawlut admits respondents in that Court.

Clause 2d.—If the Appellant or Respondent was recognized as a Pauper in the original suit, he may be admitted to plead in the appeal also as a Pauper, without further investigation, unless cause is shewn to the contrary.

Paupers in original suits admitted as such in Appeal.

Unless good cause be shewn to the contrary.

SECTION XII.—It shall be competent to the Suddur Dewannee Adawlut, if applied to, and after due investigation, to direct a person to be admitted to sue or defend as a Pauper in any suit or appeal, although his application may have been refused by the Zilla Judge.

The Suddur Dewannee Adawlut may direct compliance with applications.

SECTION XIII.—A petitioner applying to be admitted to sue or defend as a Pauper, who, after being sworn or judicially admonished, is guilty of wilful falsehood, shall be liable to the pains of perjury.

A false plea of poverty to be punished as perjury.

SECTION XIV.—Nothing contained in this Regulation shall be understood as exempting a Plaintiff, suing as a Pauper, from the penalties enacted in Regulation IV A. D. 1827 Sec. LIII and LVI, and intervening Sections, against persons instituting groundless and vexatious suits.

And groundless and vexatious suits punishable under the ordinary rules.

(Branch of Civil Judicature.)

A. D. 1827. REGULATION VII.

A REGULATION *to facilitate the amicable adjustment of disputes of a Civil nature by means of Arbitrators (a Punchaet).*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of three (3) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Of the appointment of Arbitrators for adjusting disputes of a Civil nature*.....	I.
II.	*Of the proceedings of Arbitrators*.....	IV.
III.	*Of making, executing, and appealing from awards.*	VIII.

(Branch of Civil Judicature.)

REGULATION VII. A. D. 1827.

A REGULATION *to facilitate the amicable adjustment of disputes of a Civil nature by means of Arbitrators (a Punchaet).*—PASSED *by the Governor in Council on the* 1st *January* 1827, *Corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummady ool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is desirable, for the easy and amicable settlement of disputes of a Civil nature, that the parties should have the means of adjusting them by arbitration, without being obliged to resort to a Court of Law, and that an award duly pronounced in such arbitration should have the force of a Decree of Court; and whereas it is desirable, that, even after a suit has been instituted, the parties should have the means of submitting the matters in dispute, or any part thereof to arbitration, and that the Decree of the Court should be passed in conformity with the award of the arbitrators, the following Rules are therefore enacted, to take effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER I.

OF THE APPOINTMENT OF ARBITRATORS FOR ADJUSTING DISPUTES OF A CIVIL NATURE.

All matters which may be grounds of action may be

SECTION I.—*Clause* 1*st.*—Any such matter of dispute as is cognizable

referred to Arbitrators.

nizable in a Civil Court may for the purposes specified in this Regulation be referred by mutual consent of the parties to one or more Arbitrators, chosen in such manner as may be agreed on by the said parties.

Even if a suit is pending and any detached point may be so referred.

Clause 2d.—And if an action at Law have already been commenced, it shall not prevent the parties from resorting to Arbitration at any stage of the suit, and they shall be at liberty so to refer the whole, or any part of the matter in dispute, or any point of which proof may be required in elucidation of the question.

All amicable adjustment of disputes encouraged.

Clause 3d.—It is clearly to be understood, that nothing contained in this Regulation is meant to prohibit, or discourage amicable adjustments, though made in a way different from that herein prescribed, provided that such adjustments shall not be entitled to the consideration conferred on Arbitration awards by virtue of this Regulation.

But Arbitration awards according to enactment open to particular consideration.

No one compellable to act as Arbitrator.

SECTION II.—*Clause 1st.*—No person shall be compelled to act as Arbitrator, except he be acting as Head of a Village, or hold some office in the Revenue Department, either directly or indirectly productive of profit, in which case he shall not be at liberty to decline acting on a Deed of Reference according to the Form in Section III tendered by parties residing within the limits over which his office extends, whether he be appointed sole Arbitrator or Member of an Arbitration Punchaet.

Except a Patel or revenue officer,

Or Commissioner,

Clause 2d.—And except a commissioner for deciding civil suits, who shall not be at liberty to decline acting when appointed sole Arbitrator by Deed of Reference as above said.—

who is to receive a fee.

But he shall be entitled, before commencing the investigation, to a fee of the same amount as he would have received, had the matter been tried before him as a regular suit, or if the

amount

amount at issue be greater than he may be authorized so to try, then to a fee equal to the highest which he is authorized to receive as commissioner.

SECTION III.—*Clause* 1*st.*—When the choice of the Arbitrator or Arbitrators has been made, the parties shall execute a Deed of Reference which may be upon unstamped paper, shewing the names of the Arbitrator or Arbitrators, the nature and extent of the matter referred, the date of reference, the time within which the award is to be given, the signatures of the parties, and of two witnesses, and the consent of the parties to abide by the award, with any conditions that may be involved, such as whether the decision of a majority is to be conclusive, whether an umpire is to be appointed &c.

After the choice of Arbitrators a deed of reference to be passed.

Containing all requisite particulars.

Clause 2*d.*—A form of a Deed of Reference is annexed for public convenience in Appendix A, but it is hereby explained that it is not requisite that a Deed of Reference should be framed according to this form, provided only, that it contain the matter and be framed according to the rules specified in the preceding clause.

The form in Appendix A need not be followed, but its substance must be given.

CHAPTER II.

OF THE PROCEEDINGS OF ARBITRATORS.

SECTION IV.—*Clause* 1*st.*—Arbitrators shall adopt such mode of enquiry and proof as may appear to them most conducive to ascertain the matters referred to them, and, if a Deed of Reference has been delivered to them in conformity with the provisions of the preceding Section, shall be entitled to assistance in conducting the investigation as follows:

Arbitrators to conduct their enquiries as they think fit.

And to be entitled to assistance

Clause 2*d.*—Any Civil Court having authority to enforce the attendance of witnesses and administer oaths or declarations to them, shall employ the same at the requisition of Arbitrators

From the Court in summoning witnesses, administering oaths &c.

bitrators, to be expressed in a written petition, by the same means as if the witnesses were required in a matter before the said Court, and the same rules for defraying the expenses of the witnesses and of serving the summons, and generally of procuring evidence shall be followed, but no other costs whether arising from stamped paper or otherwise shall be incurred.

And from Tulatees in drawing up writings.

Clause 3d.—The Arbitrators or parties shall on application to the head of the village, at which any of them may reside, receive assistance from any officer acting as accountant to the village in drawing up any writing which may be required for the purposes of the Arbitration.

Absence of either party no bar to the proceedings of the punchaet,

According to its discretion.

SECTION. V.—If either party, after due notice given, refuse or neglect to appear before the Arbitrators, it shall not preclude them from proceeding in the investigation and passing an award, if they consider that, under the circumstances of the case, the conditions of the reference would be thereby fulfilled.

The period limited for the award may be extended

At the desire of the parties duly attested.

SECTION VI.—*Clause 1st.*—The period limited for completion of an award may be extended at the pleasure of the parties, on their expressing the same and fixing a new period in writing on the Deed of Reference, or on a paper attached to it, but the written attestation of two witnesses shall be necessary as originally in the Deed of Reference.

When an award is not given in time the Arbitration is cancelled.

Clause 2d.—But if an award be not completed within the period either originally fixed in the Deed of Reference, or afterwards fixed according to the rules in the preceding Clause, the Arbitration shall be considered as cancelled, and the parties to be in the same relation as if no such Arbitration had existed.

A suit on a matter under Arbitration to lie overf or the award.

SECTION VII.—If pending an Arbitration a suit is filed by either party, the Court, on application of the other party, and

on

on proof that the suit and arbitration relate to the same matters, and that the time for making the award has not expired, shall stay proceedings until the reference be terminated.

CHAPTER III.

OF MAKING, EXECUTING, AND APPEALING FROM AWARDS.

An award how to be drawn out and what to contain.

SECTION VIII.—*Clause 1st.*—The Arbitration Award, which may be upon unstamped paper, shall contain the names of the parties, the date of reference, the nature and value of the matter referred, and the decision made; it shall be dated and signed by the arbitrator if sole, otherwise by the majority which made the award, and by the umpire, if any.

The form in Appendix B. need not be observed, but its substance must be given.

Clause 2d.—A form of an arbitration award is annexed for public convenience in Appendix B, but it is hereby explained, that attention to this form is not required, provided only that the award shall contain the matter specified in the preceding clause.

Award and reference to be given in to the Zilla Court or to a Commissioner, within 15 days after the award is made.

Clause 3d.—The award and deed of reference shall be presented and filed in the Zilla Court, or delivered to any Civil Commissioner to be forwarded to the Zilla Court for that purpose, by the arbitrators or parties, or some one of them, within fifteen (15) days after the award is made, and they shall be accompanied by any documents which the arbitrators may consider requisite to put on record:

Copies of the award having been tendered to the parties, except in case of absence, which shall then be specified.

Clause 4th.—But, previously to the award being so presented or delivered, the arbitrator, or arbitrators, shall tender to each party a copy of it, and the date of tender shall be specified by endorsement on the award, or, if by a party absenting himself the tender cannot be made, the circumstance shall be noted on the award.

Notification of the filing of appealable awards to be made.

Clause 5th.—When an award appealable under Section X Clause 1st is filed, a written notification thereof, in the language of the zilla under the signature of the Judge, or Assistant Judge shall

shall be affixed to a conspicuous place in the Court room, and shall remain there until the period for appealing has expired.

Final awards considered as decrees and executed as such.

SECTION IX.—*Clause* 1*st.*—Awards made and filed in conformity with the provisions and forms enacted in this Regulation, and final, either when filed, or by not being appealed against under Section X, shall have the force of decrees, and shall be executed as such, the suit, when such was before the Court, being struck off the file as decided by arbitration; and if any question should arise respecting costs, which is not sufficiently provided for in the award, the Judge shall determine it, or refer it for decision to any Court, to which he is authorized to refer for trial such a matter as was the subject of arbitration.

Awards not made under the Regulation receivable in Court as evidence only.

Clause 2*d.*—Arbitration awards or other adjustments not made and delivered to be filed, as prescribed in this Regulation, shall not be entitled to any other consideration in a Court than as evidence, or agreements to be adduced or proceeded on by ordinary course of law.

Awards made and filed under the Regulation final, but not if the punchaet sat in certain principal towns,

except on special agreement.

SECTION X.—*Clause* 1*st.*—Arbitration awards made and delivered to be filed, as prescribed in this Regulation, shall be final, unless the punchaet was convened at the Suddur station of the zilla, or at any place where the Court of a native commissioner is held; provided however that, if the parties by the deed of reference should expressly disclaim their right to appeal, the award of the punchaet wherever convened, if made and delivered to be filed according to law, shall be final.

Appeals from awards not final how filed and tried.

Clause 2*d.*—Appeals against filed awards not final under the foregoing clause shall lie to the Zilla Judge; the petition of appeal shall be presented to the Judge within thirty (30) days after notification of the filing of the award as provided in the 5th Clause of Section VIII, and in regard to trial and to further appeal shall be subject to the rules for appeals from the decisions of native commissioners as contained in Regulation IV A. D. 1827 Section LXXII Clauses 1st and 2d.

A. D. 1827. REGULATION VII.

APPENDIX A.

Form of a Deed of Reference.

At (here specify the place where the deed is executed) on (here specify the date) we —— and —— (here specify the parties executing the deed) having a dispute regarding a balance of account (or other ground of dispute of whatever nature) dated (here enter date of the balance or other necessary particulars of other ground of dispute) to the amount of Rupees ——, Constitute you the following five (or as the case may be) persons (here specify their names) our Arbitratorsfor adjusting the same, engaging to abide by whatever decision the punchaet acting according to justice and good conscience may pass, by virtue of this our Deed of reference.—The award of the punchaet is to be delivered within ten (or as the case may be) days. The opinion of the majority shall determine the judgment of the punchaet, or four members at least must concur to form the judgment of the punchaet, (or otherwise, as the case may be). If a judgment is not found by the above named arbitrators, we appoint (here specify the name) Umpire (or the arbitrators shall within —— days from this date appoint an Umpire, or otherwise as the case may be) whose decision shall be given within —— days after his appointment, and shall determine the judgment.

Signed by the parties.

Witnessed by

Signed by the witnesses.

APPENDIX B.

Form of an Arbitration Award.

At (here specify the place where the award is made) on (here specify the date) I (or we as the case may be, the name or names being also specified) the arbitrator (or arbitrators, or the umpire and arbitrators, as the case may be) appointed at

(here

(here specify the place) on (here enter the date) by (here enter the name of the parties) to investigate aud decide their dispute regarding (here enter the grounds of dispute) of the value of (or to the amount of, or as the case may be) hereby decide that (here enter the particulars of the decision.)

Signed by the Arbitrator or Arbitrators or a Majority thereof (as the case may be) and by the umpire, if there be one.

To be endorsed on the Award.

A copy of this award was tendered on (here enter the date) to the party (here specify the name) who declined receiving it.

Signed as above.

Or,

A copy of this award was delivered on the (here enter the date) to the party (here specify the name.)

Signed as above.

Or,

The party (here enter the name) having absented himself we have been unable up to this day (here enter the date) to tender to him a Copy of this award.

Signed as above

(Branch of Civil Judicature.)

A. D. 1827. REGULATION VIII.

A REGULATION *to provide for the formal recognition of Heirs, Executors, and Administrators, and for the appointment of Administrators and Managers of property by the Courts.*—PASSED *by the Governor in Council on the 1st January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jumnadyood Akhir* 1242 *of the Hijree.*

Consisting of two (2) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Rules for the recognition of Heirs, Executors, and Administrators, when there is a competent claimant*.....	I.
II.	*Of the appointment of an Administrator by the Zilla Court, when there is no Heir, or Executor, competent and willing to be placed in possession*.....	IX.

(Branch of Civil Judicature.)

REGULATION VIII. A. D. 1827.

A REGULATION *to provide for the formal recognition of Heirs, Executors, and Administrators, and for the appointment of Administrators and Managers of property by the Courts.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

WHEREAS, at the same time that it is in general desirable, that the Heirs, Executors, or legal Administrators of persons deceased should, unless their right is disputed, be allowed to assume the management or sue for the recovery of property belonging to the estate, without the interference of Courts of Justice, it is yet in some cases necessary, or convenient that such Heirs, Executors, or Administrators, in order to give confidence to persons in possession of or indebted to the estate to acknowledge and deal with them, should obtain a certificate of Heirship, Executorship, or Administratorship from the Zilla Court; Preamble.

And whereas, whenever there is no person on the spot entitled or willing to take charge of the property of a person deceased, or, when the right of succession is disputed between two or more claimants, none of whom has taken possession, or, where the Heirs are incompetent to the management of their affairs, and have no near relations entitled and willing to take charge on their behalf, or, where a person possessed of property

REGULATION VIII. A. D. 1827.

ty dies intestate and without known heirs, it is essential, that the Zilla Court should appoint an Administrator for the management of the estate, the following rules are therefore enacted to take effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER I.

RULES FOR THE RECOGNITION OF HEIRS, EXECUTORS AND ADMINISTRATORS, WHEN THERE IS A COMPETENT CLAIMANT.

The legal Heir &c. of a person deceased is competent to represent him without recognition from the Court,

SECTION I.—Whenever a person dies leaving property whether moveable or immoveable, the Heir or Executor or legal Administrator may assume the management or sue for the recovery of the property, in conformity with the law or usage applicable to the disposal of the said property, without making any previous application to the Court to be formally recognized.

but if such recognition is requested,

SECTION II. *Clause* 1*st*.—But, if an Heir, Executor, or Administrator, is desirous of having his right formally recognized by the Court, for the purpose of rendering it more safe for persons in possession of, or indebted to the estate to acknowledge and deal with him, the Judge on application, shall issue

a Proclamation will be issued,

a Proclamation in the form contained in Appendix A, inviting all persons who dispute the right of the applicant to appear in the Court within one month from the date of the Proclamation and enter their objections, and declaring that, if no sufficient objection is offered, the Judge will proceed to receive proof of the right of the applicant, and, if satisfied, grant him a certificate of Heirship, Executorship, or Administratorship.

and effectually published;

Clause 2*d*.—The Proclamation shall be published in the manner directed in Regulation IV A. D. 1827 Section VIII Clause 10.

SECTION

A. D. 1827. REGULATION VIII.

and if no objection appears the recognition will be granted.

SECTION III.—If at the expiration of the time mentioned in the Proclamation, no sufficient objection has been made, the Court shall forthwith receive such proof as may be offered of the right of the person making the claim, and if satisfied shall grant a certificate in the form contained in Appendix B, declaring him the recognized Heir, Executor, or Administrator of the deceased.

if an objection appears the same to be examined,

SECTION IV.—*Clause 1st.*—If, before the expiration of the time, any objection is made to the right of the person claiming as Heir, Executor, or Administrator, the Judge on a day to be fixed (of which at least eight days' previous notice shall be given to the parties) shall summarily investigate the grounds of the objections on the one hand, and of the right claimed on the other, examining such witnesses or other evidence as may be adduced by the parties, and either grant or refuse a certificate, as the circumstances of the case may require.

and the recognition given or refused accordingly;

unless the question is complicated or difficult, when the matter must be left for regular adjudication.

Clause 2d.—But if, from the evidence adduced, it appears, that the question at issue between the parties is of a complicated or difficult nature, the Judge may suspend proceedings in the application for a certificate, until the question has been tried by a regular suit instituted by one of the parties.

The authenticity of wills and recognitions how certified,

SECTION V.—Whenever an Executor is formally recognized, under the rule contained in Section IV, the authenticity of the will, if any, by which he is appointed, shall be proved, and the certificate of Executorship shall be endorsed thereon.

and registered.

SECTION VI.—All wills so proved, and all certificates of Heirship, Executorship, and Administratorship, shall be registered in the General Register, before being delivered up to the owners.

A recognized Heir &c. is

SECTION VII.—*Clause 1st.*—An Heir, Executor, or Administrator,

competent to manage the property.

trator, holding the proper certificate, may do all acts and grant all deeds competent to a legal Heir, Executor, or Administrator, and may sue and obtain judgment in any Court in that capacity.

but his recognition gives him no title to the property.

Clause 2d.—But, as the certificate confers no right to the property, but only indicates the person who, for the time being, is in the legal management thereof, the granting of such certificate shall not finally determine nor injure the rights of any person, and the certificate shall be annulled by the Zilla Court, upon proof that another person has a preferable right.

nor does it relieve him from responsibility to all claimants.

Clause 3d.—An Heir, Executor, or Administrator, holding a certificate shall be accountable for his acts done in that capacity to all persons having an interest in the property, in the same manner as if no certificate had been granted.

Refusal of a recognition no judgment against the claim of the applicant.

SECTION VIII.—The refusal of a certificate by the Judge shall not finally determine the rights of the person whose application is refused, but it shall still be competent to him to institute a suit, for the purpose of establishing his claim.

CHAPTER II.

OF THE APPOINTMENT OF AN ADMINISTRATOR BY THE ZILLA COURT, WHEN THERE IS NO HEIR, OR EXECUTOR, COMPETENT AND WILLING TO BE PLACED IN POSSESSION.

When the Heir &c. is present but undetermined

SECTION IX.—Whenever there is no person on the spot entitled and willing to take charge of the property of a person deceased, where the right of succession is disputed between two or more claimants, none of whom has taken possession, or where

or incompetent,

the Heirs are incompetent to the management of their affairs from infancy, insanity, or other disqualification, and have no near relations entitled and willing to take charge on their behalf, the Judge, within whose jurisdiction such property is, may

the Judge may appoint an Administrator,

appoint

appoint an Administrator for the management thereof, until the lawful Heir, Executor, or Administrator appears, or the right of succession is determined, or the disqualification of the Heir is removed, as the case may be, when the Judge, on being satisfied of the facts, shall direct the Administrator in charge to deliver over the property to such person, with a full account of all receipts and disbursements during the period of his Administration.

to be duly accountable when the emergency is at an ends.

SECTION X.—*Clause* 1*st.*—Whenever any person dies intestate, and without known Heirs, leaving property, the Judge, within whose jurisdiction the property is, shall appoint an Administrator for the management thereof, and shall issue a Proclamation in the form contained in Appendix C calling upon the Heir of the deceased, or any person entitled to receive charge of the property, to attend and prefer his claim.

If the Heir &c. is unknown an Administrator to be appointed,

and a Proclamation issued,

Clause 2*d.*—The Proclamation shall be published in the manner prescribed in Regulation IV A. D. 1827 Section VIII Clause 10, and, if the deceased was a native of any district or country without the limits of the Court's jurisdiction, and the property is of the value of Rupees one thousand (1,000) local currency or upwards, the Proclamation shall also be published in the Bombay Courier, or other Government Newspaper.

and published.

Clause 3*d.*—If any person appears and satisfies the Judge of his right to the possession of the property or any part of it as Heir, Executor, Administrator, or otherwise, it shall be delivered up to him after deducting the necessary expences of management.

The Heir &c. appearing to be put in possession,

Clause 4*th.*—But if no person appears and establishes his right, the Judge on the 31st December next after the completion of twelve months from the appointment of the Administrator, shall make a report of the circumstances of the case to the Suddur Dewannee

and if no Heir appears reference to be made to the Suddur Dewannee Adawlut,

wannee Adawlut, accompanied by an inventory and valuation of the property; and it shall be lawful for the Suddur Dewannee Adawlut, either to direct the property to continue for a further period under the management of the Administrator, or to be sold by him under the authority of the Court, and the proceeds to be deposited in the public treasury, for the eventual benefit of all concerned.

who will grant a further time or order the property to be sold, and the amount to be held in deposit.

Administrators appointed by the Court to give proper security,

SECTION XI.—Whenever an Administrator is appointed by the Judge under Sections IX and X of this Regulation, he shall, previously to entering upon the execution of his office, give security in a sum to be fixed by the Judge, for the faithful discharge of his trust, and he shall be entitled to such remuneration as the Judge may fix for his trouble, but subject to modification by the Suddur Dewannee Adawlut, on the complaint of any person interested.

and to be remunerated at the discretion of the Judge, and in certain cases the Suddur Dewannee Adawlut.

APPENDIX A.

Form of Proclamation to be issued, when a person applies to be recognized as Heir, Executor, or Administrator of one deceased.

PROCLAMATION.

IN THE COURT OF THE ZILLA OF ———

Whereas A. B. inhabitant of —— died at —— on or about the —— day of —— and whereas C. D. inhabitant of —— has presented an application to the Judge of the said Zilla, for the purpose of being formally recognized as Heir, [Executor, or Administrator, as the case may be] of the said A. B., This is to give notice to all persons, who may dispute the right of the said C D. as Heir, [Executor, or Administrator, as the case may be] of the said A. B. to appear in the Court of the said Zilla within one month from the date of this Proclamation, there to enter their objections; and it is hereby declared that,

if

if no sufficient objection is offered before the expiration of that period, the said Judge will forthwith proceed to receive proof of the said C. D.'s right, and to grant him, provided he shall appear entitled thereto, a certificate of Heirship, [Executorship, or Administratorship, as the case may be] of the said A. B. deceased.—Dated at —— this —— day of

(Signed) *By the Judge,*
Senior Assistant Judge,
or
Junior Assistant Judge.

APPENDIX B.

Form of Certificate to be granted to the recognized Heir, Executor, or Administrator of one deceased.

IN THE COURT OF THE ZILLA OF ——

Whereas A. B. inhabitant of —— died at —— on or about the —— day of —— and application was made by C. D. inhabitant of —— to the Judge of the said Court to be formally recognized as Heir, [Executor, or Administrator, as the case may be] of the said A. B. and Whereas, the usual Proclamation having been issued, no sufficient objection was offered to the right of the said C. D. and whereas, the said C. D. thereupon gave proof to the satisfaction of the Court of his right to be recognized as Heir, [Executor, or Administrator, as the case may be] of the said A. B.,

This, therefore, is to certify that the said C. D. is the recognized Heir, (Executor, or Administrator,) of the said A. B. deceased.—Dated at —— this —— day of

(Signed) *By the Judge,*
Senior Assistant Judge,
or
Junior Assistant Judge.

APPENDIX C.

REGULATION VIII. A. D. 1827.

APPENDIX C.

Form of Proclamation to be issued when a person dies Intestate, and without known Heirs, leaving property.

PROCLAMATION.

IN THE COURT OF THE ZILLA OF ———

Whereas A. B. Inhabitant of —— died at —— on or about the —— day of —— leaving the following property at —— within the said Zilla viz. (here specify the property) and whereas no will of the said A. B. has been found, nor is it known if he has any Heirs, This is to give notice to all persons claiming to be Heirs, or to be entitled to receive charge of the said property, to attend and prefer their claim in the said Court; in order that, on such claim being proved, the said property may be delivered up to them.—Dated at —— this —— day of

(Signed) *By the Judge,*
Senior Assistant Judge,
or
Junior Assistant Judge.

(Branch of Civil Judicature.)

A. D. 1827. REGULATION IX.

A REGULATION *for establishing a Register of title deeds, and a General Register of deeds, obligations, and other writings, in each zilla subordinate to the Presidency of Bombay.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of three (3) Chapters, as below :

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Of the form and nature of the Register of title deeds, and the General Register respectively, and of the mode of registering documents*	I.
II.	*Of the effect of registration in the Register of title deeds, and special provisions in favour of ancient documents, and of the grant of copies of registered deeds*.....	VI.
III.	*Of the effect of registration in the General Register*.....	IX.

(Branch of Civil Judicature.)

REGULATION IX. A. D. 1827.

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Preamble.

WHEREAS it would be conducive to the security of titles to immoveable property and greatly facilitate the transfer of such property by sale, gift, mortgage, or otherwise, that a Register of title deeds should be established in each Zilla, and that deeds entered therein should be allowed such a preference as to give the holder an obvious interest in presenting them for registration;

And whereas by establishing also a General Register in each Zilla for all other deeds, obligations, and writings of whatever nature, effectual means would be provided for the preservation of copies of writings, and great facility afforded in proving their contents in the event of the originals being lost or destroyed, the following rules are therefore enacted to take effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER I.

REGULATION IX. A. D. 1827.

CHAPTER I.

OF THE FORM AND NATURE OF THE REGISTER OF TITLE DEEDS AND THE GENERAL REGISTER RESPECTIVELY, AND OF THE MODE OF REGISTERING DOCUMENTS.

Establishment of a Register of title deeds and of a General Register.

SECTION I.—*Clause* 1*st*.—There shall be an office in each Zilla for the registry of deeds and other papers, in which two separate Registers shall be kept, the one to be called "the Register of title deeds," and the other "the General Register."

Each Register how composed and kept.

Clause 2*d*.—The Registers shall consist each of such number of books as may provide for the convenient registration of the various documents to be registered therein, and they shall be kept respectively in the forms contained in Appendix A.

The Senior Assistant Judge to be Superintendant of the Register.

SECTION II.—*Clause* 1*st*.—The superintendence of these Registers shall be vested in the Senior Assistant Judge, and in case of his death, absence or indisposition, in the officer appointed to officiate in his stead by Regulation II. A. D. 1827, Section XXVIII. Clause 3d.

And the Register office to be open for two hours every day.

Clause 2*d*.—The office shall be open for the despatch of business during at least two hours daily, holidays excepted; and a written notice of the hours during which it is open shall be fixed up in some conspicuous part thereof.

Register of title deeds to contain all writings relative to the title to immoveable property.

SECTION III.—*Clause* 1*st*.—The Register of title deeds shall be appropriated to the registry of sunnuds, deeds of sale, gift, devise, or mortgage of lands, houses, offices, or other immoveable property situated within the Zilla: of awards of arbitrators determining the right to such property so situated, and of deeds of release or discharge of mortgages, or other incumbrances affecting the same, and, generally, of all documents relating

relating to the right and title to immoveable property within the Zilla.

Clause 2d.—Decrees (including awards of arbitrators possessing the force of decrees under Regulation VII. A. D. 1827, Section IX. Clause 1st) and other Judicial processes affecting the right or title to immoveable property situated within the Zillah, may at the option of the holder be registered in the Register of title deeds; but it is hereby explained, that the force and effect of such documents is in nowise to depend on their being registered.

Decrees registered at the option of the holder.

SECTION IV.—The General Register shall be appropriated to the registry of wills, contracts, bonds, leases for the temporary occupancy of land or other property, decrees, references to and awards of arbitrators, and in general of all deeds, obligations and writings of a different nature from those provided for in the preceding Section.

The General Register to receive all other documents.

SECTION V.—*Clause 1st*—The owner of a deed or other writing who is desirous of having it registered shall present it himself, or by an agent bearing his power of attorney for the purpose, to the Superintendent or other person acting in the office under his authority, with the fee specified in Appendix B without payment of which the document shall not be received.

Each document for registry to be presented by the owner or his agent with the authorized fee.

Clause 2d.—A separate book to be called "the Book of Entries" shall be kept for each of the two Registers in the form contained in Appendix C and it shall be the duty of the Superintendent or other person acting in the office under his authority, immediately on receiving a deed or writing, to enter in the proper Book of Entries the day and hour in which it was presented, the name of the person presenting it, the nature of the writing, the description of property to which it relates, and the name of the person in whose favour the writing was executed,

The time of presentation and other necessary particulars to be noted in the Book of Entries.

ecuted, and, if it relates to immoveable property, the name of the place in which it is situated.

and the entry to be signed by the Superintendent.

Clause 3d.—The entry shall, at the time it is made, be signed by the Superintendent, and by the person who presented the writing to be registered.—But in case of the absence of the Superintendent, it shall be signed in his stead by the person in the office acting under his authority, and as soon after as practicable shall be countersigned by himself.

Documents to be copied in the order noted in the Book of Entries.

Clause 4th.—The deeds and writings presented for registry shall be copied at full length into the proper Register, in the order in which they stand in the Books of Entries, and the copies shall be carefully compared with the original, and be attested by the signature of the Superintendent.

The Register to be duly paged and authenticated,

Clause 5th.—Each leaf of the Register shall be paged with its number written in letters at length, and bear the signature of the Superintendent, who shall also note in his own handwriting on the first and last page of each book, the number of pages contained in it, and attest the note with his official signature.

and references duly made in the Book of Entries,

to the Register.

Clause 6th.—The Superintendent shall cause to be marked on the margin of the Book of Entries opposite to the entry of each deed or other writing, the number of the volume and the page or pages thereof in which it is entered in the Register.

Registered documents on receipt given to be returned,

Clause 7th.—The original deed or other writing, after being registered, shall be returned to the owner, or the person who presented it, who shall sign a receipt for it, on the margin of the entry in the Book of Entries.

endorsed with a certificate of registration,

Clause 8th.—But before it is returned, the Superintendent shall sign a certificate, endorsed on it, as follows: " Registered

ed in the —— page of the —— volume of the Register of Title Deeds (or General Register) kept for the Zilla of —— for the year ——— , having been presented at —— o'clock of the — day of —— of the said year."

(Signed by the Superintendent.)

Clause 9th.—The certificate, so endorsed and signed, shall be held in all Courts of Justice to be sufficient evidence of the registry.

which shall be good proof thereof.

CHAPTER II.

OF THE EFFECT OF REGISTRATION IN THE REGISTER OF TITLE DEEDS, AND SPECIAL PROVISIONS IN FAVOR OF ANCIENT DOCUMENTS; AND OF THE GRANT OF COPIES OF REGISTERED DEEDS.

SECTION VI.—*Clause* 1*st.*—Every deed or other writing transferring or mortgaging immoveable property situated within the Zilla, if registered in the Register of title deeds shall, without regard to the date of execution, if proved to be valid, be preferred to and satisfied before any deed of the nature of those specified in Section III. Clause 1st, either subsequently registered, or not registered at all, but this preference shall extend only to the immoveable property thereby transferred or mortgaged, provided however, that, if any person shall purchase, receive in gift, or take in mortgage immoveable property, knowing such property to have been previously sold, given or mortgaged to any other person, and that the deed of sale, gift or mortgage has not been registered, and shall register his own deed, in such case the registered deed shall not from the registry of it be entitled to preference over the unregistered deed if proved to be authentic.

Documents registered in the Register of title deeds to have preference over documents not registered,

except in cases of fraud,

Clause 2*d.*—Deeds or other writings transferring or mortgaging immoveable property, if not registered in the Register of title deeds, shall not on that account be invalidated or null;

unregistered deeds not being thereby invalidated.

but

but shall stand in regard to each other unaffected by the rules relating to registration.

Specification of former enactments in favor of documents passed in the original Surat Zilla previously to 1st September 1802,

SECTION VII.—*Clause 1st.*—And whereas, by the fourth Section of Regulation IV A. D. 1802 for establishing a register for wills, and deeds, for the transfer or mortgage of real property, as far as regards Surat and Randier and their dependencies, and the purgunas of Chowrassy and Cheeklee, (which Regulation subsequently from time to time has been extended to certain of the territories more recently annexed to the Presidency of Bombay) it was left to the option of all persons to register or not any deeds of sale, or gift of lands, houses or other real property, as well as certificates of the discharge of mortgages executed prior to the 1st September 1802, and it was provided that the not registering such deeds should in nowise operate to the prejudice of the rights of the parties thereto;

and application of these enactments to other territories,

Clause 2d.—And whereas, principles of equity, and the spirit of the said Regulations require that the date of passing each Regulation for the introduction of the Code of Regulations should, with regard to the territories to which it applies, be substituted for 1st September 1802 in determining questions respecting the right of preference between registered and unregistered deeds:

Reservation of rights resting on the said enactments,

Clause 3d.—Therefore, it is declared, that the rules enacted by the present regulation shall not extend to deeds of sale or other documents executed prior to the 1st September 1802 so far as regards Surat and Randier and their dependencies and the purgunnas of Chowrassy and Cheeklee, and executed prior to the date of each Regulation respectively, as specified in Appendix D, so far as regards the other territories to which such Regulation applies.

[redacted] and of privileges found-

Clause 4th.—Nothing contained in this Regulation shall affect

fect the privileges of deeds of mortgage or sale, or of other writings founded on the enactments contained in Appendix E viz. Section XIV of Regulation III A. D. 1799, applicable until 27th August 1807, when Regulation VI A. D. 1807 was passed, to Salsette and Caranja, and Section XIV Regulation I A. D. 1800 enacted originally for Surat and Randier and their dependencies, and made applicable, when the Surat jurisdiction was extended on the 6th July 1802 by the passing of Regulation I of that year, to the purgunnas of Chowrassy and Checklee, and various Sections of Regulation IV A. D. 1802 enacted originally for the Surat jurisdiction extended as above mentioned, and both made applicable by subsequent Regulations to other districts on the dates respectively specified in Appendix D to this Regulation.

ed on other enactments specified in Appendix E and in like manner applied.

SECTION VIII.—The Register of title deeds shall be open to the inspection of all who apply to the Superintendent or to the person in the office acting under his authority, and copies of all writings in the Register may be taken by such as require them, or authenticated copies be procured from the Superintendent, provided the fee respectively prescribed in Appendix B be previously paid.

The Register of title deeds open to general inspection, and copies of papers allowed to be taken on application and payment of fees.

CHAPTER III.

OF THE EFFECT OF REGISTRATION IN THE GENERAL REGISTER.

SECTION IX.—*Clause* 1*st*.—The registry of writings in the General Register shall give them no privilege over writings not registered, the only object of the General Register being to preserve copies of writings, and to facilitate the proving of their contents in the event of the originals being lost or destroyed.

The General Register gives documents no privileges, but facilitates their authentication.

Clause 2*d*.—The General Register shall not be open to public inspection, but persons having an interest in writings registered therein, may be allowed to take copies, or be furnished

It is not open to general inspection, but its content may be seen or copied on application

REGULATION IX. A. D. 1827.

to the Judge by parties concerned.

nished with authenticated copies on applying to the Judge and paying the fee prescribed in Appendix B.

APPENDIX A.

FORM FOR THE REGISTER OF TITLE DEEDS.

The Register of Title Deeds in the Zilla of —— for the year ——

	Page fifty four.
Deed of Sale.....	(Copy of the Deed at full length.)
Purgunna of.....	
Village of.....	
Lands of.....	
Presented for Registry. } Date	A TRUE COPY (Signed) by the Superintendent.
	Page seventy two.
Will of.....	(Copy of the will at full length.)
Purgunna of.....	
Village of.....	
Dwelling house and tiled shed	
Presented for Registry. } Date	A TRUE COPY (Signed) by the Superintendent.

FORM FOR THE GENERAL REGISTER.

The General Register for the Zilla of —— for the year ——

	Page forty.
Deed of Partnership.... ..	(Copy of the Deed at full length.)
Trade in Timber.....	
Ramchunder Sewram and Trimbuck Balajee.....	
Presented for Registry. } Date	A TRUE COPY (Signed) by the Superintendent.
	Page eighty nine.
Lease of House..... ..	(Copy of the Lease at full length.)
Purgunna of.....	
Village of.....	
Presented for Register. } Date	A TRUE COPY (Signed) by the Superintendent.

A. D. 1827. REGULATION IX.

APPENDIX B.

Table of Fees to be paid for the Registry of writings in the Register of Title Deeds, and General Register, for copies of writings registered and for searches in the Register.

For registering each writing not exceeding 400 words in length,.....	Rs. 2 0 0
If above 400 words, for every 200 additional words one Rupee, provided that the fee shall in no case exceed,.....	5 0 0
For every search in either Register,.....	1 0 0
For every attested copy not exceeding 400 words in length,..	1 0 0
If above 400 words, for every 200 additional words one Rupee, provided that the fee shall in no case exceed,.....	5 0 0

APPENDIX C.

Form for the "Book of Entries" to be kept for the "Register of title deeds."

The Book of Entries for the Register of title deeds in the Zilla of ——.

DESCRIPTION OF DOCUMENT.	WHEN PRESENTED.	PARTICULARS.
DEED OF SALE Purgunna of— Village of—— Lands of——	182 17th August 1 P. M.	A. B. (*or* C. D. agent for A. B. *as the case may be*) presented a deed of sale of the lands of —— in the village of —— in the purgunna of —— executed by —— in favour of the said —— for the purpose of being registered in the Register of title deeds. (Signed) By the Superintendent.
WILL OF —— Purgunna of— Village of—— dwelling house and tiled shed.	182 19th Sept. 11½ A. M.	A. B. (*or* C. D. agent for A. B. *as the case may be*) presented the will of —— bequeathing a dwelling house and a tiled shed to —— and others for the purpose of being registered in the Register of title deeds. (Signed) As above.

Form

REGULATION IX. A. D. 1827.

Form for the "Book of Entries" to the kept for the "General Register."

The Book of Entries for the General Register in the Zilla of ——.

DESCRIPTION OF DOCUMENT.	WHEN PRESENTED.	PARTICULARS.
DEED OF PARTNERSHIP. Trade in timber: Ramchunder Seuram and Trimbuk Balajee.	182 12th April 12 at Noon.	Ramchunder Seuram presented a deed of partnership regarding trade in timber, executed between himself and Trimbuk Balajee for the purpose of being registered in the General Register. (Signed) By the Superintendent.
LEASE OF A HOUSE. Purgunna of— Village of——	182 2d June 11 A. M.	A. B. (*or* C. D. agent for A. B. *as the case may be*) presented a lease of a house situated in the village of —— in the purgunna of ——, granted by C. D. to the said A. B. for the purpose of being registered in the General Register. (Signed) As above.

APPENDIX D.

Statement shewing the respective dates on which the provisions of Regulation IV *of* 1802 *became applicable to other districts than those for which the Regulation was originally passed; deeds of sale and other documents, if executed in each case prior to the respective date specified, being privileged without registry.*

SURAT ZILLA.

REGULATION OR OTHER AUTHORITY.	TERRITORY.	DATE WHEN REG. IV OF 1802 BECAME APPLICABLE.
Preamble to Regulation II of 1805.	The eight (8) purgunnas of Bulsar, Parneira, Bhootsur, Parchol, Soopa, Surbhan, Walor, and Boharee..... ..... The Kusba of Bardolee, The three (3) villages of Kuttergaum, Koomarea and Phoolpara.	31st Dec. 1802.

The

SURAT ZILLA.

(*Continued.*)

REGULATION OR OTHER AUTHORITY.	TERRITORY.	DATE WHEN REG. IV OF 1802 BECAME APPLICABLE.
Preamble to Regulation I of 1817.	The purgunna of Currode.	5th June 1816.
Regulation VI of 1817.	The purgunna of Bhugwara.	6th June 1817.
Regulation III of 1819.	The purgunna of Turkeysir. The Kusba of Mota. The village of Mugdula with some adjoining lands of the village of Peeplood. The purgunna of Oolpar.	28th Nov. 1817.

BROACH ZILLA.

Regulation II of 1805.	The purgunnas of Hansot and Oklasur. The town and purgunna of Broach.	14th May 1805.
Regulation VI of 1817.	The three (3) purgunnas of Jumbooseer, Ahmod and Dejbara.	5th June 1817.

EASTERN ZILLA NORTH OF THE MYHEE (KAIRA).

Regulation II of 1805.	The tuppa of Naupar. The enam town of Kaira, and its dependencies. The three (3) purgunnas of Neriad, Mahtur and Moondha. Sixteen villages of Dholka east of the Saburmutty river.	14th May 1805.
Regulation I of 1817.	The purgunna of Kupurwunj. The tuppa of Bahlej. The four (4) villages of Sundana, Antrolee, Wasna and Kurnej.	5th June 1816.

The

EASTERN ZILLA NORTH OF THE MYHEE (KAIRA).

(Continued.)

REGULATION OR OTHER AUTHORITY.	TERRITORY.	DATE WHEN REG. IV OF 1802 BECAME APPLICABLE.
Regulation III of 1819.	The five (5) purgunnas of Mahmoodabad, Antrolee, Alena, (except the two villages of Nikol and Sanoda) Tasra and Duskuroee to the East of the Kharee river. The Paishwa's share of the Pitlaud purgunna. The town of Oomrut.	6th June 1817.

WESTERN ZILLA NORTH OF THE MYHEE (AHMEDABAD).

Regulation II of 1805.	The three (3) purgunnas of Dundooka, Ranpoor and Gogo. The purgunna of Dholka, except sixteen (16) villages which are east of the Saburmutty river.	14th May 1805.
Regulation III of 1819.	The city of Ahmedabad. The Duskuroee purgunna to the west of the Kharee river. The purgunna of Veerumgaum. The two (2) villages of Nikol and Sanoda in the Alena purgunna. The purgunna of Purantej. The Paishwa's share of the districts of Byar, Hursol and Morassa.	6th June 1817.

ZILLA OF THE NORTHERN KONKAN.

	Though not so specifically enacted, the Islands of Salsette and Caranjah and their dependencies have been subject to Reg. IV of 1802 from the date of its enactment.	
Regulation VI of 1817.	The districts of Bellapoor, Autgaum and Kalian, and all the other territories of the Paishwa Bajee Row extending North of those districts as far as the Demaun river, and lying between the Ghauts and the sea.	5th June 1817.

The

ZILLA OF THE NORTHERN KONKAN.

(*Continued.*)

<table>
<tr><th>REGULATION OR OTHER AUTHORITY.</th><th>TERRITORY.</th><th>DATE WHEN REG. IV OF 1802 BECAME APPLICABLE.</th></tr>
<tr><td>Regulation III of 1819.</td><td>The territories of the Paishwa Bajee Row extending South of the districts of Bellapoor, Autgaum and Kalian, as far as the Apta river, and lying between the Ghauts and the sea, with the exception of the town of Apta, and the villages of Korulwaree and Sendapoor in the Kurnala talooka.</td><td>2d Sept. 1818.</td></tr>
<tr><td rowspan="4">Treaty with the Colaba state.</td><td>So much of the Uoorwuleet turuf, North of the Apta, as belonged to the state of Colaba, with the exception of the following ten (10) villages and twenty five (25) Khars.</td><td rowspan="4">6th June 1824.</td></tr>
<tr><td>Villages.
Woolvie, Turghur, Dapolee, Kopur, Pohee, Parengur, Koondeywal, Masor, Awrey, Gowan.</td></tr>
<tr><td>Khars.
Nandaee Neemba, Khar Wasunee, Hurrichundur Peemplee. Kaljee Gobur, Boorey Boozoorg, Band Khar, Khat Khar, Waltee, Mhalaee, Sonkhar, Bhangaree-boozoorg, Rel Khar, Pond Khar, Shemptee, Waltee, Danwacha-kota, Chiklee-bhom, Motee Khar, Ranjun Khar, Hurischundur-kota, Gowendee, Boree-khoord, Boree-cha-kota, Kopur, Pota-cha-moonh.</td></tr>
<tr><td></td></tr>
</table>

So

REGULATION IX. A. D. 1827.

ZILLA OF THE NORTHERN KONKAN.

(*Continued.*)

REGULATION OR OTHER AUTHORITY.	TERRITORY.	DATE WHEN REG. IV OF 1802 BECAME APPLICABLE.
Treaty with the Colaba state.	So much of the Toongartun Mahal, North of the Apta, as belonged to the state of Colaba with the exception of the village of Wat. The four (4) villages Tulowrey, Chandajee, Goorvey and Nurol in the Vuredy turuf. The two (2) villages Dewroog and Khurwar-boozoorg in the Soonalee turuf. The village Amburjey in the Sherey turuf. The village Ambolee in the Burey turuf. The three (3) villages Nitaley, Nourey and Khyruney in the Tulozeh turuf. The three (3) villages Kampolee, Dewkur and Bhanwuj in the Bortee turuf.	6th June 1824.

ZILLA OF THE SOUTHERN KONKAN.

Regulation III of 1803.	Fort Victoria and its nine (9) dependent villages.	5th Aug. 1803.
Regulation XI of 1814.	The Fort and Island of Sindoodroog in Malwan, and the forts of Puddunghur, Rajkot and Serjeekot, with the villages and lands dependent on the said forts, the fort and valley of Vingorla and the cessions by the Waree state in Wurar and Muloondee.	2d Nov. 1814.
Regulation III of 1819.	The territories of the Paishwa Bajee Row bounded on the North by the Apta river and on the South by the Karlee or Malwan river, and lying between the Ghauts and the sea, with the four (4) following exceptions: 1st.—The Oonderee talooka, except the village of Khar Dolvie, which village belongs to the zilla. 2d.—The three (3) following villages in Chawool; viz. Waolee, Karley and Komprolee.	2d Sept. 1818. 3d.—The

A. D. 1827. REGULATION IX.

ZILLA OF THE SOUTHERN KONKAN.

(Continued.)

<table>
<tr><th>REGULATION OR OTHER AUTHORITY.</th><th>TERRITORY.</th><th>DATE WHEN REG. IV OF 1802 BECAME APPLICABLE.</th></tr>
<tr><td></td><td>3d.—The five (5) following Warees in Chawool and Thul, viz. Pakaree Rameshwur, Pakaree Bolawee, Ramajee Mahadeo, Veesajee Keshow and Wursolee.
4th.—The oarts belonging to and situated without the walls of the fort of Rewdunda.</td><td></td></tr>
<tr><td>Regulation III of 1820.</td><td>The nine (9) following sea coast villages in the turufs of Ajgaum and Paut, viz.
<table><tr><th>OF AJGAUM.</th><th colspan="2">OF PAUT.</th></tr><tr><td>Raree,
Arowlee,
Seerodee.</td><td>Dabolee,
Kanolee,
Keyloos.</td><td>Mahapun with the adjoining fort of Newtee.
Konchuree,
Purolen.</td></tr></table></td><td>17th Feb. 1819.</td></tr>
<tr><td>Treaty with the Colaba state.</td><td>So much of the Toongartun turf situated South of the Apta river, as belonged to the state of Colaba, with the exception of the village of Khuraree boozoorg.
The two (2) villages Wureree and Shetolee and the four (4) Khars, Sonkhar, Dhadur Khar, Khar Dubaba and Dolvie Khar in the Humrapoor turuf.</td><td>6th June 1824.</td></tr>
</table>

REGULATION IX. A. D. 1827.

APPENDIX E.

Enactments referred to in Regulation IX *Section* VII *Clause 4th as remaining in force so far as to preserve the privileges of deeds of mortgage or sale, or of other writings registered in conformity with the provisions of those enactments respectively.*

SECTION XIV OF REGULATION III A. D. 1799, AND OF REGULATION I A. D. 1800.

Mortgage to be registered.

XIV.—The Judge is prohibited decreeing the payment or satisfaction of any sum due on a mortgage bond entered into after the 1st of January 1800, unless such mortgage bond shall have been registered in his Court at the time of passing it, of which rule public notice is to be issued throughout his jurisdiction.

Extract from Regulation IV *A. D.* 1802 *being "a Regulation "for establishing a Registry for Wills and Deeds, for the "Transfer or Mortgage of real Property, as far as regards "Surat and its Dependencies, passed by the Hon'ble the Governor of Bombay on the 8th of July* 1802, *whilst at that "settlement in the full possession and exclusive exercise of "the entire powers of the Bombay Government, and thereafter confirmed by the Governor in Council on the 20th of August* 1802, *corresponding with the 8th Shravan-Vud Sumbut "or Vekramajet Era* 1859; *Salbahan* 1724; *and 20th of "Rubee-ul-Akhur* 1217 *Hijree."*

Memorandum of the following deeds to be registered:

III.—*First*—The Register is authorized and required to register memorials of the following Deeds:

Deeds of Sale and Gift of real property:

Second.—Deeds of Sale or Gift of lands, houses, and other real property:

Mortgages and incumbrances, and certificates of the discharge of them:

Third.—Deeds of mortgage on land, houses, and other real property, as well as certificates of the discharge of such incumbrances:

Fourth

Fourth.—Leases and limited assignments of land, houses, and other real property, including generally all conveyances used for the temporary transfer of real property :

Limited assignments and temporary transfers.

Fifth.—Wusseatnamahs or Wills :

Wills.

Sixth.—Written authorities from husbands to their wives to adopt sons after their (the husbands') demise.

Authorities to women to adopt sons after the death of their husbands.

IV.—It shall be left to the option of all persons to register or not, as they may think proper, any of the descriptions of Deeds specified in the preceding Section (Mortgage Bonds excepted) that have been executed, or which may be executed, prior to the 1st of September. The not registering such Deeds, shall in nowise operate to the prejudice of the rights of the parties thereto, which shall remain the same as if this Regulation had never been enacted.

Option left of registering any of the Deeds specified in the preceding sections executed or that may be executed prior to 1st of September.

V.—It shall also be left to the option of all persons to register or not, as they may think proper, the several descriptions of Deeds specified in Clauses 4th, 5th and 6th of Section III, whether executed previous or subsequent to the 1st September; the not registering of the Deeds specified in those three clauses, shall in nowise operate to the prejudice of the rights of the parties thereto, which shall remain the same as if this Regulation had never been enacted.

Deeds specified in the three last clauses of Section III, whether executed before or after 1st September, may be registered or not, at the option of the parties.

VI.—*First.*—Every deed of sale or gift of the description specified in Clause 2d Section III that may be executed on or after the 1st of September, and a memorial of which shall be duly registered according to this Regulation, shall, provided its authenticity be established to the satisfaction of the Court, invalidate any other deed of sale or gift for the same property executed subsequent to the said date which may not have been registered, and whether such second or

Deeds of Sale or gift executed subsequent to the 1st September.

other

other deed shall have been executed prior or subsequent to the registered deed.

Deeds of mortgage registered under Section XIV Regulation I 1800 to be discharged in preference to mortgages granted subsequently to that date not registered.

Second.—Every deed of mortgage of the description specified in Clause 3d Section III that shall have been or shall be registered, in pursuance of the requisition in Section XIV Regulation I 1800, and provided its authenticity be established to the satisfaction of the Court, shall be satisfied in preference to any other mortgage on the same property executed subsequent to the said date which may not have been registered, and whether such second or other mortgage shall have been executed prior or subsequent to the registered mortgage.

Qualification of the rules in the two preceding clauses applicable to cases in which persons may purchase, take on gift, or mortgage property knowing it to have been previously sold, given, or mortgaged.

Third.—It being the object however of the rules in the two preceding clauses, to prevent persons being defrauded by purchasing, or receiving in gift, or taking in mortgage, real property which may have been before sold, given, or mortgaged, and, as persons can never suffer such imposition when they are apprized of the previous transfer or mortgage of the property, it is to be understood, that, if any person shall purchase, receive in gift, or take in mortgage, any real property, knowing such property to have been previously sold, given, or mortgaged to any other person, and that the deed of sale, gift or mortgage has not been registered, and shall register his own deed, in such case the deed of sale, gift, or mortgage of such subsequent purchaser, donee, or mortgagee, which may have been registered, shall not, from the registry of it, invalidate, or be discharged in preference to the unregistered deed of sale, gift, or mortgage, first executed, provided the authenticity of the latter be established to the satisfaction of the Court.

In what office Deeds are to be registered.

VII.—The registry of all deeds shall be made in the Register office of the Civil Court under the jurisdiction of which the property affected by them may be situated.

A. D. 1827. REGULATION IX.

VIII.—*First.*—Each species of deed shall be registered in a separate book, each leaf of which shall be paged, and be attested by the Judge of the Civil Court, who shall note in his own handwriting on the last page of each book the number of pages contained in each book, and attest the note with his official signature.

Each description of deeds to be registered in a separate book, paged and attested as herein directed.

No Register shall be deemed authentic, excepting such as shall be paged and attested.

Second.—Every deed entered in a Register Book shall be numbered, and the date of the month and the year, as well as the time of the day when every deed may be registered, shall be noted in the margin of the Register Books, which shall be deposited amongst the Records of the Civil Court.

Deeds registered to be numbered, date of the Registry &c. to be noted in the margin of the Register, Register to be deposited in Court.

IX.—*First.*—The following forms shall from the 1st of September next be observed in the registry of deeds, of which due notice shall be issued by the Judge of the Civil Court of Surat.

Forms to be observed in the Registry of Deeds.

Second.—The person or persons executing the deed, or his or their authorized representative, with one or more of the witnesses to the execution of it, shall attend at the Register's office, and prove by oath before the Register the due execution of the deed, upon which the Register shall cause an exact copy of the deed to be entered in the proper Register book, and after having caused it to be carefully compared with the original shall attest the copy with his signature, and shall also cause the parties, or their authorized representatives in attendance, to subscribe their signature to the copy in the presence of two creditable witnesses (whose names shall also be subscribed thereto) and shall then return the original, with a certificate under his signature endorsed thereon, specifying the date, and the time of the day on which such deed shall have been so registered, with references to the

Forms.

the book containing the registry thereof, and the page and number under which the same shall have been entered therein.

Certificates of the registry of Deeds to be considered as evidence of their registry.

X.—The certificate of the Register, endorsed agreeably to the forms described in clause 2d of the preceding Section, shall be considered in all Courts of Justice to be sufficient evidence of the registry.

(Branch of Civil Judicature.)

A. D. 1827. REGULATION X.

A REGULATION *for trying and deciding disputes regarding the boundaries of villages, by means of a Special Commission.*—PASSED *by the Governor in Council on the* 1*st January* 1827, *corresponding with the* 4*th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2*d Jummadyool Ahkir* 1242 *of the Hijree.*

Consisting of three (3) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Of constituting a Commission for the trial of disputes regarding boundaries, and of appointing its members*.....	I.
II.	*Of the proceedings of the Commission*..	IV.
III.	*Of executing and appealing from the Judgments of the Commission*.....	XIII.

(Branch of Civil Judicature.)

REGULATION X. A. D. 1827.

A REGULATION *for trying and deciding disputes regarding the boundaries of villages, by means of a Special Commission.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS disputes regarding the boundaries of villages are often productive of great public injury, by preventing the cultivation of the lands in dispute, and exciting feelings of animosity between neighbouring villages; and whereas the progress of a Revenue Survey through a Zilla or any part thereof offers great advantages for the adjustment of such disputes, from the ready means afforded, both of measuring and inspecting the lands and of examining evidence upon the spot, and whereas for these reasons it may often be found expedient to connect with the Revenue Survey a Commission for deciding disputes concerning the boundaries of villages, which, without impeding the amicable adjustment of such disputes by arbitration or otherwise, may try and determine all that remain unadjusted when the Survey of each village is made, whereby the Survey may also become a permanent record of the true boundaries of villages; The following rules have therefore been enacted to take effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER I.

REGULATION X. A. D. 1827.

CHAPTER I.

OF CONSTITUTING A COMMISSION FOR THE TRIAL OF DISPUTES REGARDING VILLAGE BOUNDARIES, AND OF APPOINTING ITS MEMBERS.

Commission for deciding boundary disputes when to be appointed.

SECTION I.—*Clause 1st.*—Whenever a Revenue Survey is undertaken in a Zilla or any part thereof, it shall be competent to the Governor in Council to appoint a Commission, for the purpose of hearing and deciding disputes between villages respecting their boundaries, in the manner prescribed in this Regulation.

how to be designated,

and proclamation of its formation,

Clause 2d.—The Commission shall be designated "*The Commission for deciding boundary disputes in the Zilla of* (or *in the district of* —— as the case may require) and the appointment of such Commission with its object shall be announced by a Proclamation in the form contained in Appendix A.

how to be issued.

Clause 3d.—The Proclamation shall be issued by the Collector of the Zilla in which the Survey is about to be commenced, and shall be published by being read aloud in the market place of the principal town, in each Kamavisdarship, Mamlutdarship, or district of similar extent, over which the Survey extends, and by being fixed up in every such market place, in every Court, and in every Collector's Kuchery within the Zilla or District.

Commission to be constituted of not less than three Members how selected;

SECTION II.—*Clause 1st.*—The Commission shall consist of not less than three Members to be appointed by Government, one of whom shall be taken from the Officers of the Revenue Survey, and another from the Land Revenue Department of the respective Zilla, and the remaining Member or Members from either the Survey or any Civil Department.

Two Members when compe-

Clause 2d.—Any two of the Members shall be competent

to

to proceed, and, if they agree in opinion, to pass a decision; but if they disagree, they shall suspend proceedings until they are joined by a third Member, when the decision shall be regulated by the opinion of the majority.

Consent to proceed,

And a third when required.

SECTION III.—Each Commissioner, previously to executing any of the functions of his office, shall take and subscribe, before the Judge of the Zilla in which he is to act, or before any other person whom the Governor in Council may authorize to administer it, the oath contained in Appendix B.

Oath of the Members of the commission.

CHAPTER II.

OF THE PROCEEDINGS OF THE COMMISSION.

SECTION IV.—*Clause* 1*st*.—When a Special Commission has been appointed to define the boundaries of a village, the Commission shall give at least eight days' previous notice in writing, in the form contained in Appendix C, to the Head Patel of such village, and to the Head Patels of all the villages, whose lands adjoin those of the village to be surveyed, apprizing them, that the boundary of the village is about to be defined, and requiring them to attend, at a time to be fixed in the notice, each with the Village Accountant and Watchmen or others acquainted with the boundaries of their respective villages, for the purpose of pointing out the limits to which they extend.

When a boundary is to be defined, notice to be given to the Patel of the village and to the Patels of neighbouring villages.

Clause 2*d*.—The notice shall further apprize them, that if there is a dispute regarding the boundary, the parties may resort to private arbitration, or refer the dispute to the Commissioners, or any of them, for arbitration, provided that the Award be produced within a certain time, (to be not less than fifteen days from the date of reference, and to be fixed by the Commission) or may enter the claim for trial before the Commission; but that unless on or before the day appointed for defining the boundary, some one of those methods be adopted, the Commission

Disputes not submitted to arbitration.

Or entered for trial will be decided and the boundary fixed.

mission will fix the landmarks according to the information which it may possess, and those landmarks will thenceforward be held to define the true boundary of the village.

When arbitration is resorted to, time to be allowed, which may be extended,

SECTION V.—*Clause 1st.*—If on the day appointed for defining the boundary, there should be an unadjusted dispute, upon which a Deed of Reference to arbitrators is produced, the Commission shall stay proceedings for such period as it may judge proper to allow for the receipt of the Award, and, if at the expiration of such period, no Award has been given in, the Commission, if it shall not think fit to extend the period for the receipt of the same, shall proceed as if no Deed of Reference had been passed.

consequence of its being exceeded.

When arbitration is not resorted to, and the claim not entered, dispute how determined,

Clause 2d.—If there should be an unadjusted dispute, upon which no Deed of Reference to arbitration is produced, the Commission shall enter the same for trial, and try and decide it under the rules hereinafter contained in Sections VI and X and intervening Sections, in the same way as if a claim had been previously preferred and entered for trial, and if there should be a doubt as to which of the villages should prosecute, the Commission shall decide that question.

Disputes to be entered by written application reciting the circumstances,

SECTION VI.—*Clause 1st.*—When a dispute is entered for trial before the Commission, a written application shall be made, specifying the name of the village claiming, the name of the village affected by the claim, the extent and estimated value of the land in dispute, whether cultivated or lying waste, if occupied, by whom, the time, if known, when such occupancy commenced, and the specific grounds on which such land is claimed as belonging to the village.

Under the signature of the Patel and Village Accountant.

Clause 2d.—The application shall be signed by the Patel of the village entering the claim, and shall be countersigned by the Village Accountant.

SECTION

A. D. 1827. REGULATION X.

SECTION VII.—*Clause* 1*st.*—The application shall be numbered and dated by endorsement, in the order in which it is received, and such endorsement shall be signed by one of the Commissioners.

Applications how numbered and endorsed.

Clause 2*d.*—It shall also be registered in a book, to be kept according to the form contained in Appendix D.

and registered,

SECTION VIII.—*Clause* 1*st.*—When such application is received, the Commissioners shall by a written notice, copies of which shall also be fixed up in conspicuous places in the village, inform the Patel of the village against which the claim is made, of the boundary in dispute as claimed by the other village; and shall call upon him, on or before a day to be fixed, to state the claim of his village, by a written application similar to that prescribed in Clause 1st of Section VI of this Regulation.

Notice to be given to the village on which the claim is made to make answer.

Clause 2*d.*—When the said written application has been delivered, the Commission shall proceed to investigate and decide the dispute by taking such evidence and considering such proofs as may be adduced by the parties.

Proceedings on the receipt of the answer,

Clause 3*d.*—But, if the written application be not delivered within the period fixed, the Commission shall proceed exparte by means of such evidence and proof as may be before it. But this is not to preclude an extension of the period for good reasons.

and in default of the receipt of the same by the time fixed,

which may however be extended.

SECTION IX.—*Clause* 1*st.*—Whenever witnesses are examined by the Commissioners, the evidence may be taken in either of the modes prescribed in Regulation IV A. D. 1827 Section XXXIV and a witness wilfully giving false evidence before them shall be liable to the punishment of perjury.

Witnesses may be examined on oath or admonished,

and for false evidence shall be punished as for perjury.

Clause

REGULATION X. A. D. 1827.

Evidence to be viva voce.

and notes to be taken in English.

Clause 2d.—The witnesses shall be examined vivâ voce, and notes of all material parts of their evidence shall be taken down, and put on record in the English language and signed by the Commissioners.

Process and judgments of the commission in what language to be written and how to be recorded.

SECTION X.—*Clause* 1*st*—Notices, orders and judgments of the Commission, and applications made to it shall be in the language of the country in which it acts, and copies shall be recorded on its proceedings, which latter shall be in English.

Substance of its judgments which with all other papers may be procured by the parties.

Clause 2d—Each judgment shall recite, not only the decision, but the reasons for it, and a copy of it, as well as of any other part of its proceedings shall be furnished, if applied for, to either party.

An award before decision to regulate the judgment.

SECTION XI.—If an award of arbitrators accompanied by a deed of reference, according to the provisions of Regulation VII. A. D. 1827 Section III. respecting any matter before the Commission be produced previously to its passing judgment, the Commission shall cease from investigation and shall pass judgment conformably to the award.

Records of the commission to be deposited at its close, or before, if convenient, in the Adawlut.

SECTION XII.—*Clause* 1*st*.—When the functions of the Commission cease in any Zilla, the whole of the records of its proceedings, as to claims regarding boundaries of land, shall be deposited with the record of civil proceedings in the Adawlut of the Zilla, but such parts of them as are no longer required for the purpose of the Commission, may be deposited with the said record before that period.

The Collector being at liberty to take copies.

Clause 2d.—And the Collector of the Zilla shall be at liberty to take copies of the whole or any part of these proceedings, after they have been so deposited.

A. D. 1827. REGULATION X.

CHAPTER III.

OF EXECUTING AND APPEALING FROM THE JUDGMENTS OF THE COMMISSION.

Landmarks to be fixed after judgment.

SECTION XIII.—When judgment has been given, the Commissioners shall cause the landmarks to be fixed in conformity thereto, which landmarks shall be held to define the true boundary, unless the judgment be appealed from as hereinafter specified.

which is final,

unless an appeal be made to the Zilla Judge within ninety days.

SECTION XIV.—The judgment of the Commissioners shall be final, unless an appeal therefrom be presented to the Judge of the Zilla, within ninety days from the date of such judgment.

Appeals how to be received and tried,

SECTION XV.—*Clause 1st.*—Appeals from judgments of the Commissioners shall be received and tried by the Judge of the Zilla, and shall be subject to the same rules, with the exception specified in the preceding Section, as to institution, trial, and further appeal, as appeals from decrees in suits originally tried by a Senior Assistant Judge.

and the proceedings of the commission how procured.

Clause 2d.—The Judge of the Zilla on receiving an appeal from a judgment, the proceedings and records of which have not already been forwarded to him, shall issue a precept to the Commission for transmission of the same.

Decree of the Zilla Court how to be executed.

SECTION XVI.—And, if the decree finally passed in appeal determine other boundaries than those specified in the judgment of the Commission, the Zilla Judge shall issue a precept addressed to the Commission, if it be still acting, and, if it be no longer acting, to the Collector of the Zilla, by whom respectively new landmarks shall be placed on the disputed boundary, conformably to the decree of the Court.

REGULATION X. A. D. 1827.

APPENDIX A.

FORM OF PROCLAMATION.

The Hon'ble the Governor in Council having granted a Commission under date —— day of —— to —— and —— as Commissioners for hearing and deciding disputes between villages in the Zilla of —— (or district of —— as the case may require) respecting their boundaries, be it therefore known, that the said Commissioners, or such others as may hereafter be appointed by order of Government will proceed throughout the said Zilla, (or district) and in the course of their progress will be ready to hear and decide all disputes between villages, regarding their boundaries, that may be brought before them, either as arbitrators, where the parties mutually agree to that mode of adjustment, or by trial in all other cases, that so disputes may cease, and each village enjoy its own land in peace.

And be it further known, that whenever villages may have settled their boundaries by agreement between themselves, or by arbitration, before the arrival of the Commission in such villages, the settlements so made will be respected.

Dated at —— this —— day of

(Signed by the Collector.)

APPENDIX B.

OATH OF THE COMMISSIONER.

I —— appointed Commissioner for hearing and deciding disputes between villages in the Zilla of —— (or district of —— as the case may require) respecting their boundaries, do solemnly swear, that I will perform the duties of my office with impartiality and integrity, to the best of my knowledge and abilities, so help me God.

(Signed by the Commissioner.)

APPENDIX C.

A. D. 1827. REGULATION X.

APPENDIX C.

FORM OF NOTICE.

To (A. B.) Head Patel of the village of ———— Take notice, that the boundary of the village of —— will be marked out on the —— day of —— or following days; you will therefore attend with the accountant and watchmen of your village, and others acquainted with the boundary or possessed of any information on the subject thereof, in order that the true limits may be accurately pointed out.

And you will further take notice, that, if any difference exists respecting the true boundary of your village, in so far as it meets the boundary of the said village of —— (or any of the adjacent villages, as the case may require) such difference if not settled by mutual agreement may either be referred to the decision of arbitrators mutually chosen, or of the Commissioners, or either of them, as arbitrators, or either party may enter their claim for trial before the Commission, which will be ready to investigate it.

But, you will take notice that, unless on or before the period fixed for defining the boundary, you either produce to the Commission a deed of reference of any matter in dispute with an award of arbitrators thereupon, or refer the same to the Commissioners or either of them as arbitrators, or enter your claim to be tried by the Commission, the Commission will proceed to ascertain the boundary, and to fix the landmarks according to the information which it may be able to obtain, and the said landmarks will be held to define the true boundary of the village of —— unless altered by a decree passed on an appeal therefrom.

Dated at

(Signed by one of the Commissioners.)

REGULATION X. A. D. 1827.

APPENDIX D.

Register of claims preferred to the Commission for deciding boundary disputes in the Zilla of —— or district of —— as the case may require.

No. of claim	*Date on which preferred*	*Village claiming*	*Village affected by the claim*	*Extent and value of the land claimed*	*How settled*
1	Feb. 1 1828	Wasna	Kelumpoor	300 Begas of pasture land,	By arbitration, 25 given to Wasna, 275 to Kelumpoor.

(Branch of Criminal Judicature.)

A. D. 1827. REGULATION XI.

A REGULATION *for defining the persons subject to the operation of the Regulations on Criminal Judicature, under what circumstances foreigners may be given up to the Government to which they belong, and under what circumstances Government may exercise a control over the residence and persons of emigrants and their descendants.*—**PASSED** *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of three (3) Chapters, as below :

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Of persons subject to the operation of the Regulations on Criminal Judicature, and of the circumstances under which they are respectively subject to that operation*.....	I.
II.	*Of refugees from foreign countries, both natives of India and others, charged with having committed crimes or offences before they quitted those countries*.....	V.
III.	*Of rules applicable to emigrants and the descendants of emigrants in general*.....	VIII.

(Branch of Criminal Judicature.)

REGULATION XI. A. D. 1827.

A REGULATION *for defining the persons subject to the operation of the Regulations on Criminal Judicature, under what circumstances foreigners may be given up to the Government to which they belong, and under what circumstances Government may exercise a control over the residence and persons of emigrants and their descendants.*—PASSED *by the Governor in Council on the 1st January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS justice and good faith require that the application of all penal and restrictive enactments should be clearly and accurately particularized, and whereas it is therefore essential to define the persons subject to the operation of the Regulations on Criminal Judicature, and the circumstances under which they are respectively subject to that operation, and to specify the peculiar liabilities both of refugees from foreign countries charged with having committed crimes or offences before they quitted such countries, and of emigrants and the descendants of emigrants in general, the following rules have therefore been enacted to have effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER

REGULATION XI. A. D. 1827.

CHAPTER I.

OF PERSONS SUBJECT TO THE REGULATIONS ON CRIMINAL JUDICATURE, AND OF THE CIRCUMSTANCES UNDER WHICH THEY ARE RESPECTIVELY SUBJECT TO THAT OPERATION.

All persons in the zillas subject to the Criminal Regulations, except British-born subjects, and persons liable to Criminal Courts martial or specially exempted.

SECTION I.—*Clause* 1*st.*—All persons within the zillas subordinate to Bombay are subject to the Regulations on Criminal Judicature, with the exception of British-born subjects, persons subject to the Military Criminal Code, to the extent to which Regulation XXII A. D. 1827 exempts them from the operation of the ordinary criminal law, and persons who may under the authority of Government be specially exempted either wholly or in part from the operation of the said Regulations.

Special exemption of the Nawaub of Surat and his relations and servants.

Clause 2*d.*—The Nawaub of Surat and his relations and servants are hereby declared to be exempted from the operation of the laws by virtue of the treaty concluded between the Company and the Nawaub on the 13th May 1800, of the 7th Article of which a copy is contained in Appendix A to this Regulation.

Persons subject to the laws are for six months after quitting the Bombay zillas liable for disturbing the tranquillity of foreign states.

SECTION II.—All persons not British-born subjects and not specially exempted as provided in the preceding section, who may have quitted the zillas subordinate to Bombay, are further subject, for a period of six months from the date when they quitted them, to the provisions of Regulation XIV A. D. 1827 Section XV regarding the disturbance of the tranquillity of foreign states.

Native subjects are besides for one year after quitting the Bombay zillas liable for treason.

SECTION III.—*Clause* 1*st.*—Native subjects of the Bombay Government are further subject, for the period of one year after they shall have quitted the zillas subordinate to Bombay, to the special provisions of Regulation XIV A. D. 1827 Section XII regarding treason.

Clause

A. D. 1827. REGULATION XI.

Clause 2d.—The term "*Native subjects*" shall be understood to comprise,

explanation of the term "Native subjects."

First.—Native-born subjects of the Bombay Government:

Second.—Natives of India, who may have become subjects of the Bombay Government by the conquest or cession of the place in which they were born, but such subjects shall be criminally responsible to the law only for acts done by them subsequently to the period of such conquest or cession:

Third.—Natives of India, not subjects of the Bombay Government, in the civil or military service of the Bombay Government while actually in such service, and during six months after they shall have quitted the Bombay territories, or (supposing them to be stationed out of the limits of the Bombay territories) after they shall have quitted the service: but it is to be clearly understood, that none of the established Courts in the Bombay territories is authorized to take cognizance of any charge against a native military officer, sepoy, trooper, or other person for which he may have been already tried by Court Martial.

Native subjects in what way subject to the Regulations for offences committed beyond the Bombay territories.

SECTION IV.—Native subjects of the Bombay Government shall further, when found within the zillas subordinate to Bombay, be amenable to the law for crimes and offences committed by them in places out of the territories subordinate to the Presidency of Bombay; but the magistrate shall previously to putting the prisoner upon his trial make a report of the case to the Governor in Council, who may order the trial to take place before some one of the established Courts of Criminal Judicature competent to try offences of the nature of that charged to have been committed.

REGULATION XI. A. D. 1827.

CHAPTER II.

OF REFUGEES FROM FOREIGN COUNTRIES, BOTH NATIVES OF INDIA AND OTHERS, CHARGED WITH HAVING COMMITTED CRIMES OR OFFENCES BEFORE THEY QUITTED THOSE COUNTRIES.

A native of India offending in a foreign jurisdiction, and taking refuge in the Bombay territories, is to be surrendered if claimed:

SECTION V.—*Clause 1st.*—Any native of India, not coming under the description of those specified in Section III, against whom an accusation may be brought to the magistrate in whose jurisdiction he is residing by the established foreign authority in the district which he has quitted charging him with a crime or offence committed in such district, shall, if the magistrate shall be of opinion that there are grounds for believing the accused to be guilty of the crime or offence alleged against him, be delivered up to the authority in whose jurisdiction it was committed.

but in certain cases the special orders of Government are requisite.

Clause 2d.—But if he shall have been residing within the zillas subordinate to Bombay for the space of six months, or if the alleged offence should have been committed six months before the charge was preferred, or should be of a political nature, or of the nature of a fraud or other direct injury towards the ruling authority by whom the accusation is preferred, the magistrate shall report the case to Government, and act according to its directions in respect to the surrender of the individual accused.

The subjects of foreign princes must also be surrendered, if a treaty exists, on order of Government.

Clause 3d.—Nothing contained in the preceding clauses of this section shall be understood to oppose the surrender to a foreign prince of any of his subjects taking refuge in any of the zillas subordinate to Bombay, according to such directions as may be issued by the Governor in Council, with the view of conforming to the terms of a treaty existing between the British Government and such foreign prince.

A refugee not a native of

SECTION VI.—If any person, not a native of India nor a British-born

British-born subject, should be charged before the magistrate in whose jurisdiction he is residing by the established foreign authority in the district which he has quitted with a crime or offence committed in such district, the magistrate shall refer the case to the Governor in Council, and act according to his directions in regard to the surrender of the individual accused.

India nor a British-born subject, will be surrendered or not according to the directions of Government.

SECTION VII.—If a complaint of the nature and under the circumstances stated in the preceding section be brought against a British-born subject, the case shall be proceeded in according to Regulation XII A. D. 1827 Section X Clause 2d.

A British-born subject will be proceeded against according to the English law.

CHAPTER III.

OF RULES APPLICABLE TO EMIGRANTS AND THE DESCENDANTS OF EMIGRANTS IN GENERAL.

SECTION VIII.—*Clause 1st.*—Whenever the Governor in Council upon due investigation shall be satisfied, that emigrants from any country bordering upon the zillas subordinate to Bombay who have sought an asylum in the said zillas, or the descendants of any of the said emigrants have abused the protection afforded to them by attempts to excite disturbances in the state, from which they or their ancestors may have emigrated, it shall be competent to the Governor in Council to order the removal of those persons or any of them to such other part or parts of the country as may be judged most convenient for their future residence: in like manner it shall be competent to the Governor in Council to order such removal, whenever he may have grounds to be satisfied, that the residence of any body of aliens, or their descendants in the vicinity of the frontier of the country from which they or their ancestors may have emigrated, is likely to cause any serious misunderstanding between that state and the British Government.

Emigrants and their descendants are removable by Government.

REGULATION XI. A. D. 1827.

being always at liberty to leave the Bombay territories:

Clause 2d.—Nothing contained in the preceding clause shall be understood to deprive the persons, to whom it relates, of the right to quit the Bombay territories, whenever they shall be so disposed.

but leaders or others who have exited disturbances may be confined as state prisoners.

Clause 3d.—In cases in which the Governor in Council may on due inquiry and mature deliberation be satisfied, that either the preservation of the tranquillity of the British territories, or of the dominions of the Allies of the British Government, or the maintenance of the relations of amity subsisting between the British Government and other states requires that any of the leaders or other persons of the above description who may have committed the offences mentioned in Clause 1st of this Section should be placed and detained under restraint, it shall be competent to the Governor in Council to order any such persons, having committed any of the said offences, but not otherwise, to be apprehended and committed to confinement, at such place and under the custody of such public officer as he may deem expedient, and detained in confinement in conformity to the rules provided for the confinement of state prisoners.

APPENDIX A.

EXTRACT from the TREATY between the British Government and the Nuwaub of Surat, dated the 13th of May 1800.

ARTICLE 7th.—In complaints brought before the Court of Justice, in which it shall appear either by the application of the Nuwab, or the representation of the defendant, at or before the time of giving in his or her answer, or by the petition of the complainant, that both parties are relations, or servants of the Nuwab, such parties shall in the first instance be referred for justice to the Nuwab, or to any person he may appoint to dispense it: any complaint against the relations or immediate servants of the Nuwab by persons of a different description, shall,

shall, in the first instance, be made to the Chief Civil Servant at Surat, who shall refer it to the Nuwab, who has engaged to order an immediate investigation to be made; or, in case the parties should desire it, to order the dispute to be referred to a proper arbitration, the Nuwab engaging to bring it to a direct issue, or to carry the sentence or award, if unfavourable to his relation or servant, into immediate execution.

(Branch of Criminal Judicature.)

A. D. 1827. REGULATION XII.

A REGULATION *for the establishment of a system of police throughout the zillas subordinate to Bombay, for providing rules for its administration, and for defining the duties and powers of all police authoties and servants.*—PASSED *by the Governor in Council on the 1st January 1827, corresponding with 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.*

Consisting of six (6) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Establishments for the administration of Police*.....	I.
II.	*Of the ordinary duties of the Zilla Magistrate; comprising,* Rules for the seizure and disposal of offenders and stolen articles: Punishments which the Magistrate is authorized to adjudge, with the mode of conducting and recording trials, and procedure: Communication to be made between Magistrates for purposes of co-operation: The duty and authority of the Magistrate to protect the community, and institute and enforce miscellaneous rules for its benefit and comfort, and for the prevention of vice and crime: The official connexion of duties between the Magistrate and the Court of Suddur Foujdaree Adawlut, as well as the Court of Circuit: Superintendence of subordinate Police Officers: Punishment for contempt of the Magistrate's authority.....	IX.

Of

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
III.	*Of precautionary measures for preserving the peace and preventing crime, comprising,*	
	Recognizance and security:	
	Expulsion:	
	Dispersing unlawful meetings:	
	Seizure of unlawful implements.....	XXIV.
IV.	*Of extraordinary measures conducive to the apprehension and punishment of offenders, comprising,*	
	Aid Civil and Military:	
	Rewards:	
	Responsibility of villages and their police establishments for robberies:	
	Attachment of the property of fugitives:	
	Banishment of outlaws.....	XXXI.
V.	*Of the duty of district police officers...*	XL.
VI.	*Of the duties of the district police officer or head of a village, and of village police.*	XLVIII.

(Branch of Criminal Judicature.)

REGULATION XII. A. D. 1827.

A REGULATION *for the establishment of a system of Police throughout the zillas subordinate to Bombay, for providing rules for its administration, and for defining the duties and powers of all police authorities and servants.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is desirable that a system of Police should be established throughout the zillas subordinate to the presidency of Bombay, which should be founded chiefly on the ancient usages of the country, which, by specifying the duties to be performed, the conduct to be pursued, the powers to be exercised, and the responsibilities incurred by the officers of police, should promote the correct execution of the trust reposed in them, and facilitate an efficient superintendence over their proceedings by the superior authorities in the department of criminal justice, and which should with these views contain provisions constituting establishments for the administration of police, describing the ordinary duties of the zilla magistrate, precautionary measures in preservation of the peace and prevention of crime, and extraordinary measures in prosecution of guilt of an atrocious and dangerous character, and particularizing the duties of district and village police authorities, the following rules have

have therefore been enacted to have effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER I.

ESTABLISHMENTS FOR THE ADMINISTRATION OF POLICE.

The duties of police to be performed by the Judge and Collector as Criminal Judge and Magistrate, and their respective subordinate officers:

SECTION I.—The duties of police as described in the regulations shall be conducted by the Judge and Collector of each zilla, under the respective designations of Criminal Judge, and Zilla Magistrate, the district police officers, and the heads of villages, in the manner hereinafter enacted.

definition of the local police jurisdiction of the Criminal Judge,

SECTION II.—*Clause 1st.*—The tract subject to the police jurisdiction of the Criminal Judge shall comprise the town at which the Adawlut is situated, and a certain space around, the limits of which shall be determined with the sanction of the Governor in Council and distinguished by marks; but, for the

which however in certain cases,

cognizance of acts in breach of official duty done by any native officer under the immediate official control of the Judge or Criminal Judge, the exclusive magisterial jurisdiction throughout the zilla shall belong to the Criminal Judge, as in corresponding cases the zilla magistrate is in like manner vested under Section III Clause 1st with exclusive jurisdiction in the first instance; and further, in summoning witnesses, apprehending perpetrators of offences committed at the Sudder station, or accomplices in cases already before the Criminal Judge, and

and in matters of process extends throughout the Zilla,

in all matters of process in such cases, wherever they may have originated, the Criminal Judge's police jurisdiction shall extend throughout the zilla, which however is not to prevent his having recourse, when convenient, to the assistance of the

though the aid of the magistrate may be required.

magistrate of the zilla, in the same manner as he may to the magistrate of any other zilla.

Police duties of the es-

Clause 2d.—The establishment under the Criminal Judge,

both

A. D. 1827. REGULATION XII.

both European and native, shall aid him in the functions of police, each officer in his respective capacity: the duties, and rules for conducting them shall be the same as prescribed for the zilla magistrate's department, except that, in cases wherein the said officer is directed to refer a case, or forward any communication to the Criminal Judge, the latter will of course proceed direct, as if the same had been done.

Establishment of the Criminal Judge the same as those in the zilla magistrate's department, with a few exceptions in matters of form.

SECTION III.—*Clause* 1*st*.—The Collector of each zilla shall, under the denomination of Zilla Magistrate, perform the functions of police, according to the rules prescribed in the sequel, in all parts of the Collectorship, except the Sudder station of the zilla, as described in Section II Clause 1st, and any military cantonment which may be placed under the Superintendent of Bazars, with respect to police, by virtue of Regulation XXII A. D. 1827 Chapter IV, but, in the cognizance of acts in breach of official duty done by any native officer under his official control in any department, the Zilla Magistrate shall possess the exclusive magisterial jurisdiction throughout the Collectorship, as in corresponding cases the Criminal Judge is in like manner vested under Section II Clause 1st with exclusive magisterial jurisdiction; and further, in summonses and arrests in all cases coming within his cognizance the Zilla Magistrate's jurisdiction shall extend throughout the Collectorship, which however shall not prevent his having recourse, when convenient, to the assistance of the Criminal Judge, in the same manner as he might obtain that of any Zilla Magistrate.

The Collector has police jurisdiction over his Collectorship, except the tract subject to the criminal Judge and any part subject to the rules for military police:

but in certain cases it is more extensive.

Clause 2*d*.—The zilla magistrate shall use a circular seal one inch and three quarters in diameter, on which shall be inscribed in the English language and character, as well as those in most common use in the zilla, "*The magistrate of the zilla of*

his seal:

Clause 3*d*.—Assistants to the Collector shall act in their respective

duties of the several officers

of his establishment and his general control over them:

pective ranks as Assistants to the Zilla Magistrate and shall use his seal; they may be deputed by him to perform any part of his duties, the magistrate having full power to mitigate or annul sentences passed by them; and to recall, at any stage of proceeding, matters referred to them; and all ministerial officers on the Collector's and village establishment may be employed in executing any police process or measures.

how the assistance of law officers is to be procured.

Clause 4th.—If the Zilla Magistrate shall have occasion to ascertain any point of Hindoo or Mohummudan law, he shall procure the requisite information from the law officers on the Criminal Judge's establishment, forwarding the question in writing, which shall be answered in the same manner.

Oath of the magistrate and his assistants.

Clause 5th.—The Zilla Magistrate and each of his Assistants shall, previously to executing any of the functions of their offices, take and subscribe before the Governor in Council, or any person whom he may commission to administer it, the oath in Appendix A, and shall also, as soon as possible, qualify himself as a Justice of the Peace.

In case of absence assistants succeed to the duties of principals.

SECTION IV.—It is to be understood that, in case of an Assistant to a Criminal Judge or Collector being in charge of the department, the functions of police are among the duties which by virtue of the Regulations relating to those departments will devolve upon the said Assistant.

Each native Collector of a District is the District Police Officer,

SECTION V.—Each Native Collector of a district shall have charge of the police thereof, and shall perform the duties specified in Chapter V, and in districts, where there is no such Native Collector, the zilla magistrate shall, with the sanction of the Governor in Council, appoint a District Police Officer to perform the said duties; in which latter case the Officer shall be furnished with a written commission in the form of Appendix B, which may be recalled at the pleasure of the Governor in Council.

and where there is no such individual, an Officer to be appointed by sunnud, revocable by Government at pleasure.

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SECTION VI.—*Clause 1st.*—The Police of each village shall be under charge of the Patell, or chief manager of the revenue thereof, and shall be conducted as prescribed in Chapter VI: this officer shall be furnished with a written commission in the form of Appendix C, but, in the event of his occasional absence, the duties, with the exception of adjudging punishments, shall be carried on by the person next to him in responsibility and influence at the village.

The head of each village is the village Police Officer,

and will be furnished with a written commission:

his duties while he is absent may be done by another, who however cannot punish:

Clause 2d.—When the village revenue management is divided among different persons, the Magistrate shall select one of them to take charge of the police: and, if the revenue arrangements are of such nature as not to devolve particularly on any person resident at the village, the magistrate shall select some one residing therein to perform the duty.

when revenue arrangements do not indicate one person as Police Officer,

such individual shall be selected by the magistrate,

SECTION VII.—At towns or places, where, from the extent of the population or nature of its occupations, the police cannot be conducted by a village head, as prescribed in the preceding Section, the Zilla Magistrate shall provide for the care of the same by appointing, with the sanction of Government, either an officer in the manner and holding the authority directed for district Police Officers in Section V, or a sufficient number of inferior officers in the manner and holding the authority directed for heads of villages in Section VI, or both of these together; the rules of subordination between them being those enacted for the above quoted officers.

and special arrangements may be made for the Police of towns and large villages:

SECTION VIII.—*Clause 1st.*—Bribery, extortion and generally all acts of abuse or misapplication of authority, or other misconduct committed by native officers in the Police Department, shall be punishable as criminal offences with fine, ordinary imprisonment without labour for a period not exceeding seven (7) years, and public disgrace, either singly or combined; and the receipt of a present directly or indirectly by any such officer

misconduct of native police officers is punishable civilly and criminally,

from

from any person against whom or in whose behalf he may be officially employed, shall be considered extortion; and further, punishments adjudged under this clause shall not preclude any other prosecution, civil or criminal, to which the offender may be liable.

the powers of the Magistrate and Criminal Judge being extended in these cases.

Clause 2d.—In the cognizance of the offences specified in the preceding clause, the penal jurisdiction of the Magistrate and Criminal Judge shall be as specified in Regulation XVI A. D. 1827 Section XI Clause 4th.

native Officers on the Zilla Magistrate's establishment are subject in the police department to the same rules as they would be in the revenue,

even if only employed in the former.

Clause 3d.—Native officers on the revenue establishment, and employed in the police department, shall also be subject to the authority of the Magistrate, in case of misconduct relating to their duties in the police department, in the same way as they would have been, had the act or omission related to revenue duties; and suspension and dismissal of a police officer, who is not employed in the revenue department, may take place under the same rules, as if he were so employed:

Corruption or criminality on the part of a covenanted servant in his department to be reported by the Magistrate to Government.

Clause 4th.—And if information be laid on oath before a Zilla Magistrate that any covenanted servant of the Company, who is or has been employed in the revenue or police management of the zilla, has been guilty of corruption, he shall forward a copy of the deposition, with any observations he may have to offer, to the Governor in Council, who will direct such investigation and proceeding as he may deem requisite, and, if he should judge it expedient, will in the mean time cause the officer accused to be suspended from the exercise of his duties.

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CHAPTER II.

OF THE ORDINARY DUTIES OF THE ZILLA MAGISTRATE; COMPRISING,

Rules for the seizure and disposal of offenders and stolen articles:

Punishments, which the Magistrate is authorized to adjudge with the mode of conducting and recording trials, and procedure:

Communications to be made between Magistrates for purposes of co-operation:

The duty and authority of the Magistrate to protect the community, and to institute and enforce miscellaneous rules for its benefit and comfort, and for the prevention of vice and crime:

The official connexion of duties between the Magistrate and the Court of Sudder Foujdaree Adawlut, as well as the Court of Circuit:

Superintendence of subordinate Police officers:

Punishments for contempt of the Magistrate's authority.

The magistrate to cause to appear before him any person charged with an offence committed within his jurisdiction,

SECTION IX.—*Clause* 1*st.*—When the Magistrate has reason to believe, either from his personal knowledge or information communicated to him, that any person within his jurisdiction and subject thereto has committed an offence of a penal nature therein, he shall cause the said person to attend before him and answer for the same in the manner hereinafter enacted in Section XII:

if possible by summons grounded on sworn information:

the summons how to be enforced,

and security when to be taken;

Clause 2*d.*—The above information shall, if circumstances permit, be recorded in the form of a deposition, and the attendance of the alleged offender shall be procured by issuing a summons in the form of Appendix D, with an order thereon addressed to the officer employed to execute it, and stating whether the party's immediate attendance is required, or whether recognizance or security may be accepted, and to what extent: the circumstances under which the said recognizance or security

security may be accepted will be found detailed in the Sections from XXIV to XXVII of this Regulation:

in cases of exigency written process may be dispensed with,

Clause 3d.—But every police officer is authorized, without written process, to seize an offender detected in the fact, or a person under circumstances of evident suspicion, as also are individuals not in official employ, when there are reasonable grounds for supposing that such offender or person would abscond, and the Magistrate may further thus direct the apprehension of persons whose names are not known, or when circumstances prevent the issuing of formal process.

stolen property to be searched for as offenders are apprehended,

Clause 4th.—Property supposed to be stolen or required in evidence may be brought before the Magistrate in the same manner as prescribed in the two last preceding clauses for procuring the attendance of individuals, a description of the articles being substituted for the personal address of the individual, when written process is issued; provided always, that dwelling houses shall not be entered in search for the same between sunset and the ensuing sunrise without urgent occasion, and that every precaution consistent with the object in view be taken to avoid infringing on domestic or religious privacy; and provided also, that the houses of persons of the more respectable classes of society shall be exempt from search, on their engaging to make the search themselves, unless there should exist suspicion of connivance resting on reasonable grounds.

the search in dwelling houses being, except in cases of necessity, by day,

and with consideration.

Refugee offenders with stolen property, if the offence were committed beyond the British territories, to be dealt with as prescribed by Regulation XI.

SECTION X.—*Clause 1st.*—If the Magistrate shall have reason to believe, that a person having committed an offence beyond the limits of his jurisdiction has taken refuge therein, or that stolen property has been brought therein, he shall secure such person or property, and, if the offence have been committed beyond the limits of the Presidency of Bombay and its subordinate territories, shall regulate his proceedings according to such of the provisions of Regulation XI A. D. 1827 Sections IV,

V,

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V, VI, and VII, as may be applicable to the case; but, if the offence have been committted within the said presidency or its subordinate territories, he shall forward information to the Magistrate within whose jurisdiction the offence is supposed to have been perpetrated, and co-operate with him in furthering the ends of justice according to the Regulations, in such way as the case may require.

otherwise measures to be concerted with the proper police authority.

Clause 2d.—If the Magistrate shall have reason to believe that a British-born subject not liable to the criminal jurisdiction of a court-martial, as enacted in 4th Geo. IV Chapter 81 Section 2d, has committed an offence which may render him an object of a criminal prosecution in the Bombay Court of Judicature, he shall cause him to be apprehended, and, after satisfying himself by means of evidence that there are good grounds for supposing the offence to have been committed, he shall forward the said offender in safe custody to the Senior Magistrate of the Police at Bombay, with a record of the evidence on which he acts, and report the case to the Governor in Council, who will direct the expences incurred to be defrayed.

Offenders who are British-born subjects, and not subject to military police, to be apprehended,

and forwarded to Bombay,

with a report to Government.

Clause 3d.—The Magistrate shall execute such orders as he may receive from the Governor in Council, as to arresting and conveying to the presidency Europeans and Americans found within his jurisdiction without passports or licences.

Europeans and Americans found without authority in the Zilla to be apprehended as Government may order;

Clause 4th.—The Magistrate shall arrest and deliver up at the nearest military post deserters from His Majesty's or the Company's Military Service, who may be found within his jurisdiction.

deserters to be delivered up to military authority,

Clause 5th.—If the Magistrate has reason to believe that an offence of a political nature, such as described in Regulation XIV A. D. 1827 Chapter III, has been committed by a person

and offenders against the state to be kept in close custody:

to

to be found within his jurisdiction, he shall cause him to be placed in secure custody, and report the circumstances of the case to the Governor in Council for his instructions.

during a reference to Government:

assaults by British-born subjects are cognizable in some cases by the Magistrate,

and in others by the military police authority.

SECTION XI.—In cases of assaults committed by British-born subjects on Natives, at a greater distance than ten (10) miles from the presidency, rules of procedure are enacted in Act 53d Geo. III. Chapter 155 Section 105; but persons under military command, and at a greater distance than 120 miles from the presidency, are exempted from the operation of those rules by Act 4th Geo. IV. Chapter 81 Section 2d.

The Magistrate investigates all offences not of a political nature committed within his local jurisdiction,

and if the charge is proved adjudges punishment if within his penal jurisdiction, otherwise transmits the prisoner to higher authority:

SECTION XII.—*Clause* 1*st*.—When a person has been apprehended according to the provisions of Clause 1st of Section IX, if the offence be of a political nature as alluded to in the 5th Clause of Section X, the Magistrate shall act as therein directed; otherwise he shall proceed to trial of the same, and, if it appear to him that the prisoner is guilty, and that the extent of punishment which the Magistrate is authorized to inflict (as set forth in the succeeding Section) is adequate to the offence, he shall pronounce sentence accordingly; otherwise, he shall forward the prisoner to the Criminal Judge of the Zilla, with a copy of the proceedings prescribed in Section XIV, and all the original written exhibits and articles, which may have been made or produced before the Magistrate as evidence:

If the charge be evidently of a high nature, the prisoner to be transmitted for trial as soon as probable grounds of his guilt appear,

or if dismissed as guiltless by the Magis-

Clause 2*d*.—Provided always, that, if in the course of the trial the offence appear to be such as requires to be referred to the Criminal Judge, and the Zilla Magistrate should see reason to believe that it was committed by the prisoner, the case may be forwarded to the Criminal Judge as above described, without waiting completion of trial or any farther proceedings, than may at the time have been held; and on the other hand, that, if the Magistrate see no reason to suppose the prisoner guilty, he shall discharge him accordingly, without however such liberation

tion operating as an acquittal in exempting the party from future prosecution, if the act be of such nature as to require reference to the Criminal Judge.

trate, he may still be hereafter prosecuted before higher authority.

SECTION XIII.—*Clause* 1*st.*—The Magistrate is authorized to adjudge sentences of the following nature and extent, to be enforced in the manner, and for the offences prescribed for each respectively in the Regulations: fine, ordinary imprisonment without labour not exceeding two (2) months, flogging not exceeding thirty (30) stripes, and personal restraint, any of which may be combined, and it shall be competent to the Magistrate to award such fine, or any part of it, in compensation to the party who may have been injured: sentences which include imprisonment shall be executed by the Criminal Judge, to whom the convict shall be forwarded with a description of the sentence in the form of Appendix E, according to which, the execution being made and endorsed, as directed in the case of warrants in Regulation XIII A. D. 1827 Section XV Clause 1st, the document shall be kept on record by the Criminal Judge.

Magistrate's penal jurisdiction,

fine as enforced by imprisonment in commutation not exceeding two months,

flogging, thirty stripes, and personal restraint:

imprisonment to be enforced by the Criminal Judge:

Clause 2*d.*—When the state of Police in any Zilla may render it desirable that the authority of the Zilla Magistrate should be increased, the limit of imprisonment prescribed in the preceding Clause may be extended to any period not exceeding six months, on Government issuing a proclamation in the form of Appendix F, to be forwarded through the medium of the Court of Suddur Foujdaree Adawlut to the Criminal Judge and Zilla Magistrate, each of whom shall keep a translation in the language commonly used in his jurisdiction conspicuously placed in the most public office of his department, as well as that of each district or division under his charge, and a similar extent of authority may be conferred in like manner on any of the Magistrate's Assistants, whose penal jurisdiction shall otherwise be as described in the preceding Clause, except that the First Assistant shall alone have authority to adjudge corporal punishment, and only for theft.

the Magistrate's penal jurisdiction may be extended by Government to imprisonment for six months,

on proclamation made,

and the same rule applies to Assistants:

Clause

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authority to commit for trial before the Court of Circuit may in like manner be given to a Magistrate,

Clause 3d.—The Governor in Council may also, whenever he may deem it expedient, confer on any Zilla Magistrate authority to commit offenders to be tried before a Court of Circuit, by a proclamation, in the form of Appendix G, issued and published in the manner above stated, in which case the said authority of commitment may be delegated by the Magistrate to any of his Assistants, in the same way as matters within his ordinary jurisdiction, and when a commitment is thus made by the Magistrate or his Assistant, he shall transmit to the Criminal Judge of the Zilla the prisoner unless admitted to bail, with a record of his proceedings and the exhibits as directed to be prepared for trials before the Court of Circuit in Regulation XIII A. D. 1827 Chapter III; he shall also take the measures prescribed in that Chapter for procuring the attendance of witnesses and parties, transmitting to the Criminal Judge every person, exhibit or article requisite to be produced at the trial, and to be placed in custody in the interim; and the Criminal Judge shall bring up such cases for trial in the same manner, and shall also in the interim perform such functions of receiving additional evidence, accepting bail, or other offices connected with each case, as he would have executed had the commitment been made by himself, except that he shall not for any reason discharge the prisoner.

who may delegate it to his Assistants:

mode of exercising it,

and duties of the Criminal Judge in those cases.

Trials before the Magistrate to be conducted and recorded like other trials:

Section XIV.—Trials before the Zilla Magistrate shall be conducted according to the rules prescribed for Criminal Courts in general in Regulation XIII A. D. 1827 Chapter VI, but Clause 6th of Section XXXVIII of the said Regulation, which directs that the law officer's exposition of the law be taken, shall, with regard to the Magistrate, have operation only on the trial of an offence against the religious law of the prisoner, as described in the concluding sentence of the first Clause of Section I Regulation XIV A. D. 1827: records shall be kept by the Magistrate similar to those described in the

the three first Clauses of Section XIV Regulation XIII A. D. 1827, the offices therein directed to be performed by the Serishtadar and record-keeper being discharged by any person to whom the Magistrate may entrust them: but if a sentence in any particular case do not exceed one week's imprisonment and six stripes, it shall not be incumbent on the Magistrate to record more than the name of the convict, the offence proved, and the punishment, with the respective dates.

but trivial cases do not require detailed records.

SECTION XV.—*Clause 1st.*—If a Magistrate require the evidence of a person, or the production of an article situated beyond his jurisdiction, he shall adopt the measures described in Regulation XII. A. D. 1827 Section XXXIV Clauses 2d and 3d; which proceeding shall also be applicable to the apprehension of offenders who may have quitted the zilla wherein the offences may have been committed, and if the circumstances be such that the parties cannot be named in the summons, information conveyed in a letter shall be sufficient authority for the Magistrate of the zilla in which they are found to act according to the provisions of Section X Clause 1st of this Regulation, and to forward the persons so seized, direct to the Magistrate from whom the information was received; and the authority provided in the 3d Clause of Section IX to effect apprehension without formal warrant is equally applicable to such cases as are the subject of this Clause.

Persons and property beyond his jurisdiction to be secured by the Magistrate on application to the proper police authority,

who will act as in ordinary cases.

Clause 2d.—Magistrates shall reciprocally communicate to each other all matters involving the peace of each other's jurisdiction, and they shall execute for each other in their respective jurisdictions all process, which each respectively would have authority to execute within his own jurisdiction, in which case the Magistrate who makes the requisition shall furnish whatever written form may be required in such cases, or, if none be prescribed in the regulations, then some document descriptive of the process, which the Magistrate who executes it shall return

Magistrates will grant each other reciprocal aid in receiving and enforcing each other's process,

and requisitions,

return endorsed, with a description of the mode in which it has been performed or the reasons which prevented it:

but any Magistrate may decline compliance by letter,

Clause 3d.—But if a Magistrate when applied to for co-operation, by virtue of the preceding clauses of this Section, shall deem the same incompatible with the good order and welfare of the zilla under his charge, this objection shall not be stated as a return to any process sent to him for execution, but he shall acquaint therewith the Magistrate from whom it was received, without proceeding to execution, and, if they should be unable to arrange a mode of procedure in which they can concur, the case may be referred to the Court of Sudder Foujdaree Adawlut for its final order.

and official reference may be made to the Sudder Foujdaree Adawlut.

The Magistrate may employ precautionary measures in preservation of the peace when disputes are anticipated,

SECTION XVI.—*Clause 1st.*—If the Magistrate shall have reason to suppose, that any breach of the peace or illegal act calculated to lead thereto, such as the forcible possession of disputed property, or the unauthorized removal of marks set up to denote boundaries, be likely to occur, he shall take precautionary measures to prevent the same by means of recognizance or security, as prescribed in Sections from XXIV to XXVII both inclusive, if injunction be not deemed sufficient; and for this purpose he may cause the person suspected to be brought before him by the same process as would be used in the case of an alleged offender:

but the *right* to any property or privilege thus disputed is not thereby affected.

Clause 2d.—But the interference of the Magistrate in such cases shall by no means affect or confer any proprietary title or ulterior right; being intended, when such may be disputed, only to preserve the peace until decision and enforcement by the Civil Court.

Persons pressing begarees to be brought to justice, well-grounded com-

SECTION XVII.—*Clause 1st.*—The pressing of coolees or begarees is hereby strictly prohibited, and it shall be an imperative duty of the Magistrate to take instant cognizance of all such

such offences, and inflict punishment on the offenders, according to the rules contained in the succeeding clauses of this Section; unless the complainant prefer instituting a Civil action, and the case be not of an aggravated nature as contemplated in Clause 5th: the Magistrate is further directed to give every publicity to the said rules, so as to ensure, in every instance of their violation, a communication of the occurrence:

Complaints being encouraged.

Clause 2d.—Pressing is defined to be the compelling a person to serve as porter or guide by means of personal violence, as blows, or such treatment as produces corporal pain or injury; or by means of violence to property, as seizing or injuring any article belonging to him or in his occupation; or by means of threats expressed in words, or conveyed by conduct denoting an intention to inflict some injury to person or property apparently in the power of the culprit to effect:

The offence how defined,

Clause 3d.—Any person committing the offence defined in the preceding clause shall, if he be subject to the Magistrate's regular jurisdiction, be punishable according to the following scale:

and punished when the offender is not a British-born subject.

	If the act be accompanied with personal violence.	If with violence to property.	If with threats.
If the culprit be attended by a servant,	Fine of 40 Rupees,	Fine of 30 rupees,	Fine of 25 Rupees,
	Commutable if not paid to one day's imprisonment for 5 rupees of fine.		
If he be not attended by a servant,	Fine of 8 rupees,	Fine of 7 rupees,	Fine of 5 rupees,
	Commutable as above to one day's imprisonment for each rupee of fine.		
If he be a principal servant, (Khidmutgar,)	Fine of 15 rupees,	Fine of 13 rupees,	Fine of 9 rupees,
	Commutable as above to imprisonment for 8 days,	7 days,	5 days.
If he be a servant of lower order than the preceding,	Fine of 8 rupees,	Fine of 7 rupees, or	Fine of 5 rupees,
	Imprisonment for the same number of days, which also, when fine is imposed, constitutes the commutation.		

Clause

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and when he

Clause 4th.—If the offender be a British-born subject the Magistrate shall proceed as authorized by 53d Geo. III Chapter 155 Section 105, unless the offender be by virtue of 4th Geo. IV Chapter 81 subject to a military court, in which case the Magistrate shall furnish the complainant with every possible assistance in prosecuting the matter before such tribunal:

aggravated cases meet severer punishment;

Clause 5th.—It is to be clearly understood, that, if in execution of the offence described in Clause 2d, the offender shall have committed any criminal act requiring severer punishment than is above contemplated, he shall be liable to prosecution and punishment accordingly.

The magistrate may in some cases compel, for fair remuneration, the labour of workmen,

SECTION XVIII.—*Clause 1st.*—It shall be lawful for the Magistrate on occasions of emergency to compel for public purposes the services of tradesmen, artificers, labourers, and generally all persons following the occupation of furnishing labour or articles for hire, at a rate of remuneration not below the highest they may be in the habit of receiving:

and take cognizance of the misconduct of servants,

Clause 2d.—He shall also have authority to take cognizance of such misconduct on the part of private servants as constitutes a departure from proper demeanour, or a breach of duty:

by moderate and suitable punishment:

Clause 3d.—And the Magistrate may punish the non-compliance and misconduct specified in the two preceding clauses by fine not exceeding ten (10) rupees, or ordinary imprisonment without labour for a period not exceeding fourteen (14) days, or both.

he may also make rules for the public benefit in matters not involving private rights, such as the resort to Dhurrumsalas &c.

SECTION XIX.—*Clause 1st.*—It shall be lawful for the Magistrate, when the public benefit and comfort is in question, to institute rules respecting Dhurrumsalas, liquor shops, public wells, town gates, and generally all places of public resort, regulating

lating the hours at which they are to be open, the manner in which they are to be used, the equal and appropriate application of their accommodations, and such matters as conduce to maintaining orderly conduct among those who resort to them:

the cutting of firewood and use of forage;

Clause 2d.—Also to regulate the exercise of rights to cut firewood, and forage, or derive advantage from unappropriated places or productions:

the removal of nuisances;

Clause 3d.—And to cause obstructions and nuisances to be removed from thoroughfares and public places:

of unwholesome trades,

Clause 4th.—And to suppress, or cause to be removed to a different place, trades and occupations injurious to the health or comfort of the community:

of combustibles and dangerous edifices:

Clause 5th.—Also to prevent such construction of buildings, and such disposal of hay or other combustible substances, as is likely to occasion conflagration, and to cause the removal of buildings in such state of weakness as by the probability of their falling to expose individuals to danger.

such rules before enforcement being duly promulgated and submitted to the Sudder Foujdaree Adawlat,

Clause 6th.—In exercising the authority conferred by this Section, the Magistrate shall commence by issuing an injunction, which, if a particular individual be concerned, shall be personal to him, otherwise it shall be notified by oral proclamation made, and written notice fixed and kept at such place or places as may be best adapted to convey information to the public, or the class concerned, a copy of which shall, at the same time, be forwarded to the Court of Sudder Foujdaree Adawlut, and it shall remain in force unless forbidden by that Court, and should any person persist in disobeying the injunction, the Magistrate may compel observance thereof by force, and punish disobedience by fine not exceeding one month's computed average income of the culprit, ordinary imprisonment without labour not exceeding one month,

after which the violation of them is punishable by the magistrate,

month, personal restraint, or any of these combined, and if the Magistrate find it necessary to incur expense in removing noxious or dangerous articles, or buildings, it shall be lawful for him to deposit the same or their materials, and apply to the Court of Sudder Foujdaree Adawlut for sanction to sell the said deposit by public auction, in order to defray the said charge, and according as this sanction is granted or withheld he shall so sell the property, delivering any overplus that may remain to the owner, or return it altogether:

and expenses incurred by him in removing buildings &c. &c. will be borne by the property or its owners,

but persons deeming private rights infringed, may try the case in the Civil Court,

Clause 7th.—Provided however that, in all questions arising out of the preceding clauses of this section, it shall be competent to any individual, who may deem himself possessed of a private right, which cannot equitably be interfered with, to file a suit in the Civil Court against the Magistrate to support his claim, and the Magistrate, if applied to, shall stay his proceedings for a reasonable period to allow of such suit being instituted, which shall be tried before the Judge, or one of his Assistants, exclusively.

before the Judge or an Assistant.

The Magistrate shall take charge of stray animals, selling them after a period in payment of expenses incurred, and for the benefit of the owners;

Clause 8th.—The Magistrate shall always be authorized to take charge of stray animals and to detain them either at the Sudder station, or at the place where found, and if the owners apply and pay the expense incurred within two months, the animals shall be returned to them; otherwise they shall be sold by public auction, and the proceeds, after deducting expenses incurred, shall be paid to the owners on demand: the Magistrate shall also take charge of property found without an owner, and, if the provisions of Regulation VIII A. D. 1827 Chapter II do not apply to the case, shall retain it for the eventual benefit of the said owner, on his defraying any expenses incurred, but at any period, when these may have amounted to the computed value of the property, it may be sold to defray the same.

also property left without an owner and not otherwise guarded from spoliation,

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SECTION XX.—The Magistrate shall keep standards of such weights and measures as are used in retail dealings throughout the districts under his charge, and they shall be open to the inspection of any one who may desire to examine them.

and keep standards of weights and measures.

SECTION XXI.—*Clause* 1*st*.—The functions of the Zilla Magistrate, as relating to Courts of Circuit, are detailed in Chapter III of Regulation XIII A. D. 1827, wherein proclamation of the Sessions is prescribed in Section XIX Clause 1st, furnishing reports in Clause 3d of the same Section, and the mode, in which the general superintendence of the Magistrate's duties and establishment is to be conducted, in Sections XVI and XVII.

Enumeration of the Magistrate's duties in connexion with the Court of Circuit,

Clause 2*d*.—The functions of the Zilla Magistrate, as relating to the Court of Sudder Foujdaree Adawlut, are detailed in Section XXIX of the above quoted Regulation, wherein the furnishing of records is prescribed in the 1st and 2d Clauses, furnishing information and procuring evidence in the 3d Clause, revision of sentences in the 4th Clause, and miscellaneous superintendence of the Zilla Magistrate's duties and establishment in the 5th and 7th Clauses: the Zilla Magistrate shall also furnish such periodical returns relating to the business of his department as the Court of Sudder Foujdaree Adawlut may call for under the immediate instructions of Government.

and the Court of Sudder Foujdaree Adawlut.

SECTION XXII.—*Clause* 1*st*.—The Zilla Magistrate shall vigilantly superintend the conduct of the district and village police officers and of the establishments subordinate to them; maintaining strict and active discharge of their duties, and attending to all complaints of oppression, injustice or negligence on their part, which he shall notice by injunction or reprimand, or by bringing the offenders to trial, as directed in the Regulations: he shall receive the returns prescribed to be

The Zilla Magistrate vigilantly to superintend all subordinate police officers and establishments;

be made by them, and revise their sentences and acts in the manner directed in the Regulations:

misconduct of native officers being punishable as in the revenue department:

Clause 2d.—And the mode of punishing misconduct of the native establishment laid down in Section IX of Regulation XVI A. D. 1827 shall be applicable also to the police department.

contempt of the lawful authority of police officers punishable by the magistrate.

SECTION XXIII.—The Zilla Magistrate shall be authorized to punish by fine not exceeding one month's computed income of the culprit, or ordinary imprisonment, without labour, not exceeding one month, any person guilty of abuse insolence, or interruption, towards himself or any police officer in the discharge of official duty.

IAPTER III.

OF PRECAUTIONARY MEASURES FOR PRESERVING THE PEACE AND PREVENTING CRIME; COMPRISING,

Recognizance and security:
Expulsion:
Dispersing unlawful meetings:
Seizure of unlawful implements.

Recognizance, its nature and object: to contain a pecuniary penalty, and ordinary imprisonment in commutation,

SECTION XXIV.—*Clause 1st.*—Recognizance is an engagement by bond for payment of a specific sum of money, with a commutation thereof, in case of non-payment, for a specific period of imprisonment, which is always to be understood as being ordinary, and without hard labour, to be levied in the event of the party breaking the engagement therein contracted, to do, or refrain from doing some specified act, and the bond shall be in the form of Appendix H:

and in certain cases hard labour or solitary imprisonment.

Clause 2d.—But when so directed in particular cases, for good reasons a recognizance may be made out, with the penalty

nalty of solitary imprisonment, or imprisonment with hard labour, instead of pecuniary forfeiture.

Security, its nature and object:

Clause 3d.—Security is an engagement entered into by a person or persons by means of such a bond as described in the 1st clause of this Section, that some other person or persons therein specified will do, or refrain from doing an act therein specified, and the bond shall be in the form of Appendix I.

the authority taking the engagement fixes the number of sureties, the penalty and imprisonment,

subject to higher authority:

no engagement extends beyond five years,

nor imprisonment beyond two,

but official jurisdiction will not limit it.

Clause 4th.—The number of persons required in any particular case to constitute security, as well as the pecuniary amount of recognizance, or security, and the period of imprisonment to be suffered in commutation, shall be at the discretion of the authority before which it is entered into, subject to whatever superintending authority may be constituted by regulation, but neither a recognizance nor security bond shall bind the party, whose act is in question, for a longer period than five (5) years, unless otherwise directed for particular cases by enactment, nor shall a person becoming security be made thereby liable to a longer period of imprisonment than two (2) years, but in determining a period within these limits the authority acting shall not be confined to any limits which may be fixed to its jurisdiction in adjudging sentences.

Recognizance and security may be taken whenever the Magistrate deems fit,

and particularly for making witnesses attend,

also persons accused, except of murder and state

SECTION XXV.—Besides those persons against whom information may exist, that there is intention or probability of their committing a specific illegal act, it shall be lawful for the Magistrate to bind over to good conduct any person who from bad reputation, turbulent habits, or other reasonable cause, is considered an object of public distrust: the appearance of witnesses at trials, as well as of persons charged as offenders, shall also be so secured, when the Magistrate is satisfied that the bond will be sufficient to secure attendance, except in cases of political offences as described in Regulation XIV A. D. 1827 Chapter III, and murder, when the persons accused shall always be kept

in

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prisoners, who must be confined,

and for general purposes;

in confinement to undergo trial: and generally the performance of, or refraining from all acts, which the Magistrate has authority to compel or forbid, may be secured by recognizance or security.

how a person may free himself from recognizance or security,

SECTION XXVI.—*Clause* 1*st.*—A party may at any time redeem his recognizance by delivering himself up to the custody of the authority before whom it was entered into, and a person who has become security may at any time redeem the same by delivering up to the said authority the party for whom he so engaged, in furtherance of which object the said authority shall afford him every assistance, which the law authorizes for the apprehension of persons situated as the said party may be.

and in case of forfeiture the penalty is adjudged by the trying authority,

Clause 2*d.*—If a recognizance or security bond be forfeited, the penalty shall be enforced by the authority to which the ultimate trial of the case, to which it relates, belongs, in the same way as if the penalty had been a sentence adjudged for a penal offence, proof of the facts which constitute the forfeiture being taken and recorded in the same manner as evidence for a criminal trial: but if such enforcement involve a longer period of imprisonment than the said authority is authorized to adjudge as a sentence, he shall forthwith report the case, with all proceedings held from the commencement, to the Court of Sudder Foujdaree Adawlut, without however deferring the enforcement in the interim.

and if beyond his jurisdiction the case is referred to the Sudder Foujdaree Adawlut.

If engagements demanded by the proper authorities are not furnished, imprisonment may be resorted to, but official jurisdiction must not be exceeded without reference to the Sudder Foujdaree Adawlut,

or other con-

SECTION XXVII.—*Clause* 1*st.*—If a party, from whom recognizance or security has been duly demanded, fail to furnish such as is satisfactory to the authority demanding it, confinement of the person may be resorted to, until the occasion be past; provided always, that, when the period of confinement, to which the said authority is limited in adjudging sentences for offences, has elapsed, the case shall be reported to the Court of Sudder Foujdaree Adawlut, unless it be of a nature

which

which will occasion its being brought before some other tribunal in the usual course of trial, when the proceedings will devolve on such other tribunal, as if the recognizance or security had been originally demanded by itself:

trolling authority.

Clause 2d.—But the magistrate is not precluded from adopting precautionary measures of a more lenient nature in the case of a person, who may be unable to furnish satisfactory recognizance or security for his attendance, such as, provided the Magistrate considers them sufficient for the purpose, allowing the party to remain under the inspection of some trustworthy person possessing influence over his conduct, or at some place of public resort under charge of persons in usual attendance there: and similar measures may under similar circumstances be adopted to secure the good conduct of a suspected person, in which case additional restrictions may be made, as suggested by the party's habits and the evil apprehended, such as prohibiting his leaving his residence or certain limits at particular times, or providing himself with a horse, or arms; or any other restriction which will not unreasonably affect his personal liberty, or deprive him of the means of procuring a livelihood: all which restrictions shall be notified to the party in writing, a copy thereof, with his signature in token of assent, being kept by the Magistrate, and any breach thereof shall be punishable by ordinary imprisonment without hard labour for a period not exceeding six months, which penalty also shall be inserted in the instrument.

also other restrictions may be resorted to,

the same being notified to the party, as well as a specified imprisonment on the breach of them.

Section XXVIII.—*Clause 1st.*—If a person, who is not a native of the zilla nor a British-born subject, be unable to furnish security for his good conduct satisfactory to the Magistrate, it shall be lawful for an order of expulsion to be issued, which, whether issued by the Criminal Judge or Zilla Magistrate, shall be in force throughout the Collectorship:

Foreigners not British-born subjects not furnishing security may be expelled from the Collectorship:

Clause

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expulsions how executed:

Clause 2d.—The person so expelled shall be conveyed to some part of the boundary of the collectorship, and there dismissed, being previously furnished with, or offered a writing containing the name of the zilla, the date of expulsion and a description of the penalty enacted in the succeeding Clause, to which he will be liable if he return, and a copy of this instrument, with an endorsement specifying the execution, shall be kept on record:

penalty of returning without leave:

Clause 3d.—A person returning to a zilla, from whence he has been expelled, shall be punishable with ordinary imprisonment not exceeding six months, after which if he return again he shall each time be liable to the said punishment, and flogging not exceeding fifty stripes in addition:

expulsion how cancelled.

Clause 4th.—But it shall always be competent to a Magistrate to recall a sentence of expulsion, when he has satisfactory reason to believe that the causes thereof have ceased, the sanction of the Sudder Foujdaree Adawlut being previously obtained, which sanction shall be endorsed under the Magistrate's signature on the sentence specified in Clause 2d, and the party shall be entitled to a written certificate of such recall, with a specification of the particulars of the expulsion.

Precautions which may be taken when the public peace is endangered,

SECTION XXIX.—If any number of persons should assemble together in a manner indicating intention to commit an unlawful act, or inconsistent with public tranquillity, it shall be competent to the Magistrate to order them to disperse, and to punish those, who do not comply, with fine or ordinary imprisonment without labour not exceeding one month.

and power of the Magistrate to seize and confiscate instruments kept for unlawful purposes.

SECTION XXX.—The Magistrate shall be authorized to seize all such instruments as he shall have good reason to believe are kept for breaking open houses or other unlawful purposes: they shall be forfeited and disposed of as Government may direct.

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CHAPTER IV.

OF EXTRAORDINARY MEASURES CONDUCIVE TO THE APPREHENSION AND PUNISHMENT OF OFFENDERS; COMPRISING,

Aid, Civil and Military:
Rewards:
Pardon to accomplices:
Responsibility of villages and their police establishments for robberies:
Attachment of the property of fugitives:
Banishment of outlaws.

Aid from the community may be demanded by the police on occasions of emergency, and failure to furnish it punished by the Magistrate:

SECTION XXXI.—*Clause* 1*st.*—All police authorities shall be competent to call on individuals within their jurisdictions for such aid, as they are capable of affording without infringing the rules of their respective sects, in apprehending offenders, or enforcing any legal process, holding inquests, or procuring information; and any persons withholding the same shall be punishable by the Zilla Magistrate with fine not exceeding ten (10) rupees, or ordinary imprisonment without hard labour not exceeding twenty (20) days:

offenders pursued beyond the jurisdiction to be taken when apprehended before the authority of the place, who will surrender them,

Clause 2*d.*—If pursuit of an offender be carried beyond the jurisdiction in which it commenced, the officers shall be entitled to the assistance of the police of the jurisdiction in which they may arrive, which shall adopt the same measures for effecting seizure, as if the offence had been committed in the last mentioned jurisdiction: and when a person is thus apprehended, he shall be taken before either the district officer or Zilla Magistrate of the place, who, on being satisfied of his identity as the person who was pursued, or of there being reasonable grounds to suppose it, shall deliver him up to either the district officer or Zilla Magistrate of the place where pursuit commenced.

Clause

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and all police authorities will aid each other in maintaining the public peace;

Clause 3d.—Any police authority shall, when the force at its disposal is insufficient to preserve the peace or apprehend offenders within its jurisdiction, be entitled to aid from the police establishments of adjacent authorities, for the purpose of effecting any specific measure.

military aid also, if necessary, will be supplied.

Clause 4th.—Military aid may be resorted to, as directed in Regulation XXII A. D. 1827 Chapter VIII, when there is reason to apprehend, that such resistance will be made to legal process, or such violence offered to public tranquillity, as cannot easily be overcome by the police establishment.

In atrocious cases the Magistrate, to procure the apprehension or discovery of offenders, may offer a reward

SECTION XXXII.—*Clause 1st.*—In a case of murder or other offence of highly atrocious nature, when the perpetrator (or perpetrators) cannot be found or is unknown, the Magistrate shall have authority to offer a reward by proclamation for apprehension or discovery; and likewise a Court of Circuit or the Sudder Foujdaree Adawlut shall have authority to direct the Magistrate so to do:

exceed- fifty rupees; the Court of Circuit may offer one hundred rupees; and the Sudder Foujdaree Adawlut two hundred rupees: larger rewards to be sanctioned by Government;

Clause 2d.—A reward offered on the Magistrate's authority shall not exceed fifty (50) rupees, nor one offered on the authority of a Court of Circuit one hundred (100) rupees, nor one on the authority of the Sudder Foujdaree Adawlut two hundred (200) rupees: if a larger amount be deemed desirable the case shall be reported to Government, and such reward offered as it may sanction:

proclamation to specify the reward, and the conditions which will entitle to it;

Clause 3d.—The proclamation shall specify the offence alleged, with whatever is known in identification of the perpetrator or perpetrators: also the amount of reward and the condition which confers a right to it, whether it be the discovery, seizure or conviction of the criminal or criminals.

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Clause 4th.—When the said condition is fulfilled, the reward shall be paid by the Collector to the order of the authority before which the condition was completed: but that authority shall always be competent to withhold any part of the reward, if the person claiming it have used unwarrantable means or unnecessary harshness in effecting his purpose.

reward to be paid by the Collector on the order of the authority before whom the condition is fulfilled, who may in certain cases withhold any part of it:

Clause 5th.—It is to be understood, that no officer on a police establishment shall be entitled to demand as a right a proclaimed reward under this section, but it shall be competent to the authorities respectively referred to in the preceding clause to adjudge in the manner therein stated the whole or any part of such reward, or the value thereof, in such shape as may be judged appropriate, to any such officer who may have fulfilled the condition thereof in a manner meriting such extraordinary remuneration, and it shall also be competent to those authorities to adjudge to a person, who may have partly fulfilled the conditions of the proclamation, a part of the reward, if his conduct be thought to merit the same.

police officers cannot demand proclaimed rewards,

but may be otherwise remunerated on occasion as may be deemed expedient.

SECTION XXXIII.—*Clause 1st.*—The Court of Circuit shall have authority to adjudge rewards to individuals, whether or not in the public service, whose conduct may have merited the same in apprehending or aiding to apprehend the perpetrators of murder, or other highly atrocious offence, provided they be convicted:

The Court of Circuit may also assign to those who have aided in apprehending atrocious criminals a suitable reward,

Clause 2d.—Such reward shall not exceed in value one hundred (100) rupees for seizure of a leader of a gang, twenty (20) rupees for that of an accomplice, if only one be convicted, and ten (10) rupees each, if more than one be convicted, and the amount shall be paid by the Collector to the order of the Court:

within certain pecuniary limits:

Clause 3d.—And the Court of Circuit shall likewise have authority

as also remuneration

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generally to those who have distinguished themselves in police duties:

authority to adjudge a reward not exceeding in value fifty (50) rupees (payable as above) to persons, whether in the public service or not, who may be deemed to have merited such remuneration by perilous or laborious exertions, or other valuable aid, in maintaining the public peace or apprehending offenders.

in highly atrocious cases the evidence of an accomplice may be procured by a grant of pardon by the Magistrate,

SECTION XXXIV.—*Clause 1st.*—In a case of murder or other offence of highly atrocious nature, if it should appear that the evidence of an accomplice is necessary to procure the conviction or apprehension of a criminal or criminals, whose punishment or detection is a primary object, or that without such evidence the prosecution would fail altogether, the Magistrate shall have authority to grant a pardon to such accomplice, on his promising fully and faithfully to disclose all the circumstances within his knowledge, and to give his evidence throughout the trial without prevarication or fraud.

the conditions and particulars being recorded:

Clause 2d.—The offer of pardon may be made either personally to the accomplice, or by proclamation stating the nature of the disclosure required, and excepting the persons, towards whose conviction or apprehension it is directed, from benefiting thereby: and the Magistrate shall enter on his records reasons in full for offering the same.

corresponding powers vested in the superior tribunals:

[redacted] the Sudder Foujdaree Adawlut shall be competent to direct a pardon to be offered under the above circumstances in the manner above described.

a pardon cannot be disturbed, but the accomplice may be punished if he fails to give true evidence,

SECTION XXXV.—*Clause 1st.*—A certificate of pardon shall be granted to the accomplice, previously to his evidence being received, and such pardon shall not be liable to be disturbed; but, if the accomplice should withhold his evidence or give false testimony, he shall be liable, in the same manner as any other witness, to the penalties thereby incurred.

Clause

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his testimony being received with caution.

Clause 2d.—The evidence of an accomplice shall operate against a prisoner, only so far as it corroborates that of other witnesses, or strengthens impressions produced by circumstances.

Pardons to accomplices in treason to be offered only by Government.

SECTION XXXVI.—In cases of treason, the measures described in the two preceding Sections, respecting pardons to accomplices, shall be adopted only when directed by Government, by which authority the offer or grant of any rewards that may be deemed expedient, shall also be regulated.

Villages in certain cases responsible for robbery committed within their bounds by fine,

SECTION XXXVII.—*Clause 1st.*—When robbery has been committed within the boundary of a village, or the perpetrators of a robbery have been satisfactorily traced thereto, and neglect or connivance be charged against the inhabitants or the police establishment, with regard to prevention, detection or apprehension, it shall be competent to the Magistrate to investigate the matter as a criminal offence, and, if the fact be well substantiated, to exact a fine not exceeding the value of the property lost, the whole or part of which may be awarded in compensation to the owner, according as the degree of caution and activity which he evinced on the occasion may deserve:

leviable by the Collector,

Clause 2d.—If the fine be awarded against the inhabitants at large, it shall be realized by the Collector in the same manner as revenue demands, and paid to the order of the Magistrate: if against individuals of the police establishment, it shall be levied by imprisonment in commutation, as directed for fines in general in Regulation XIV A. D. 1827 Section IX:

and orders to that effect may be given by a Court of Circuit.

Clause 3d.—And a Court of Circuit shall be empowered to cause a Magistrate to levy and dispose of a fine in the manner above stated, when the circumstances detailed in the 1st Clause of this Section occur in a case decided before the said Court.

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In certain atrocious cases the Magistrate, after obtaining the sanction of the Sudder Foujdaree Adawlut,

SECTION XXXVIII.—*Clause* 1*st.*—If a person charged with murder or other offence of highly atrocious nature, for whose apprehension formal process has been issued, should abscond or conceal himself so that he cannot be found, the Magistrate shall, if he considers the case of sufficient importance to require the measures described in the succeeding Clauses of this Section, forward a report of all the circumstances to the Court of Sudder Foujdaree Adawlut and request its sanction to adopt them: on receiving which he shall proceed as follows:

may proclaim the alleged offender, and require him to appear within a specified time,

Clause 2*d.*—A proclamation in the form of Appendix J, stating the name of the party and such other description as may be necessary to identify him, and requiring his attendance before the Magistrate or any specified police officer within a specified period, being not less than one (1) month from the date of the proclamation, shall be issued, by being read aloud on three successive days at the most public place of the town or village where the party usually resides, and by a copy thereof being tendered to some servant or relation (if any such can be found) of the party, and by copies being fixed on the door of his house, some public place at the said town or village, at the head Police Kuchery of the district, and any other places which may occur to the Magistrate as necessary to secure publicity:

and if he fails may attach all his property,

Clause 3*d.*—If the party shall not appear as required within the period specified, the Magistrate shall attach all his property within the jurisdiction, both moveable and immoveable, and deliver it to the Collector, to be kept and managed as directed for property attached by virtue of Regulation XXV A. D. 1827 Chapter II:

to be detained at the discretion of Government if he does not surrender him-

Clause 4*th.*—If the party deliver himself up within four (4) months after the period specified in the proclamation has expired, the attached property shall be returned to him, with whatever

whatever proceeds may have been realized from it during the attachment; otherwise the Magistrate shall report the case to the Governor in Council, who will issue such orders as he may deem expedient, according to the principles of Regulation XXV A. D. 1827:

self within four months:

Clause 5th.—A Court of Circuit or the Sudder Foujdaree Adawlut shall be competent to direct the Magistrate to follow the procedure prescribed by this Section, in any case which it may deem to require it.

these measures may be directed by the Sudder Foujdaree Adawlut or Court of Circuit.

SECTION XXXIX.—*Clause 1st.*—If any person under the influence of animosity shall have notoriously abandoned his home for hostile purposes (as understood by the term *Bahurwutaee*) and there be reasonable apprehension that he meditates and has the means of creating disturbance to the tranquillity of any zilla, the Magistrate thereof shall report the case to the Court of Sudder Foujdaree Adawlut, which, if it think necessary, shall adopt the following measures:

Bahurwutees and similar desperate outlaws,

on the sanction of the Sudder Adawlut,

Clause 2d.—The said Court may, in lieu of the proclamation specified in Section XXXVIII Clause 2d, or, at any time subsequent to the publication thereof, issue a proclamation in the form of Appendix K, by which the party incurs banishment from whatever districts it may be considered expedient to prevent his entering, in the event of his not delivering himself up within the period specified in the proclamation, which shall not be less than sixty (60) days from the date thereof: this proclamation shall be forwarded to the Magistrates of whatever districts may be named in it, and shall be promulgated in the manner described in the 2d Clause of Section XXXVIII at the place where the party usually resides, and by a copy being read and affixed at the most public spot of the place where every district police officer is stationed throughout the said districts:

may be proclaimed,

and declared banished on not delivering themselves up within sixty days;

Clause

and if apprehended, when banished, in the prohibited territories shall be deemed state prisoners,

Clause 3d.—If, after the expiration of the period, the party have not delivered himself up, the sentence of banishment shall be in full force, and, if he enter any of the districts to which it refers, he shall whenever apprehended be considered as a state prisoner, and information shall be forwarded to Government, that instructions may be issued regarding him on the principles of Regulation XXV A. D. 1827; but, if any criminal offence be charged against the party, the reference to Government shall be delayed, until he has been tried for the same, and the result, after he has been either acquitted or punished, leaves his person disposable:

but shall be tried for their offences;

but upon cause shewn the Sudder Adawlut may recall such sentence of banishment.

Clause 4th.—But, if the causes for issuing a sentence of banishment, as above authorized, shall have ceased, previous to the party being apprehended, and he should appear deserving of lenity, it shall be competent to the Court of Sudder Foujdaree Adawlut to recal the said sentence, which shall be done by sending a certificate in the form of Appendix L to every Magistrate to whom the proclamation mentioned in the 2d Clause of this Section was forwarded, which certificate shall be published in the same manner as directed for the said proclamation, and the party himself shall be entitled to a copy thereof authenticated by any of the said Magistrates.

CHAPTER V.

OF THE DUTIES OF DISTRICT POLICE OFFICERS.

District police officers,

SECTION XL.—*Clause 1st.*—Each district police officer shall aid the Magistrate in the discharge of his functions, by performing the duties described in the sequel within the limits under his charge:

to obey the Zilla Magistrate and control the subordinate police officers,

Clause 2d.—He shall act in immediate subordination to, and execute processes issued by the Zilla Magistrate, and shall in similar manner have superintendence and control over the village police

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police officers, whose duties are explained in the following Chapter:

duly reporting misconduct and all matters of importance,

Clause 3d.—He shall report to the Magistrate instances of neglect, oppression, or extortion, committed by subordinate police officers; also deficiencies in the Police Establishments; and he shall keep the Magistrate well informed of the state of police in general, and matters connected therewith:

and maintaining peace and order.

Clause 4th.—He shall station Peons at markets and places of public resort, in order to preserve tranquillity, and enforce such local rules as may be instituted for public convenience at the same, and he shall dispose of the Police establishments in his district, so as to provide the utmost possible efficiency in preventing and opposing plunderers or disturbers of the public welfare.

Jurisdiction of the district police officer,

SECTION XLI.—*Clause 1st.*—The district police officer shall have authority to punish trivial cases of theft, abuse, assault, or resistance to public officers in the discharge of their duty, provided information be laid within one month after the act was committed, by fine not exceeding five (5) rupees, confinement in any suitable place not exceeding eight (8) days, or placing in the stocks or other similar restraint for a period not exceeding twelve (12) hours:

his proceedings and records:

Clause 2d.—The arrest of the culprits, and other proceedings in such cases shall not require any written process nor other record than the name of the offender, the offence proved, and the punishment assigned, with the respective dates, and this record shall be forwarded monthly to the Magistrate: witnesses may also be verbally summoned and required to depose on oath, and refusing to attend or depose may be forcibly conveyed to the Zilla Magistrate, who shall be authorized to punish them by fine

refusal to give evidence before him how punishable:

fine not exceeding ten (10) rupees, or ordinary imprisonment without labour for a term not exceeding twenty (20) days:

complaints of matter punishable by him may be withdrawn on a record being made:

Clause 3d.—And it shall be optional with the complainant to withdraw his plaint, or make private compromise, at any stage of the proceeding: in which case however, the complaint and withdrawing shall be recorded as above directed.

when necessary the district police officer's penal jurisdiction may be extended

SECTION XLII.—*Clause 1st.*—In districts, where peculiar occasion may exist for the police officer to exercise a more extensive penal authority than allowed by the preceding Section, it shall be competent to the Governor in Council to invest him with such, by order addressed to the Court of Sudder Foujdaree Adawlut, specifying (within the limits mentioned in the succeeding clause) the extent of punishment which he shall be authorized to adjudge; whereupon the said Court shall forward a proclamation in the form of Appendix M to the Magistrate, who shall cause it to be affixed to a conspicuous part of the Police Kuchery t the Sudder station, and at the respective district, and thereafter t shall be in force:

by proclamation,

to imprisonment for two months, fine thirty rupees, twenty stripes, and personal restraint, singly or combined:

cognizable offences being the same, but not the limitation of time,

Clause 2d.—The said extended powers shall not exceed ordinary imprisonment without hard labour for a period of two (2) months, fine of thirty (30) rupees, twenty (20) stripes, or personal restraint, or any of these combined: the offences for which they may be inflicted shall be the same as those mentioned in clause 1st of the preceding Section, without however the restriction as to the period at which the offence may have been committed, applying to thefts, and all process and proceedings shall be conducted and recorded in the same way as prescribed for the Magistrate in Section XIV of this Regulation, and shall be forwarded to him monthly with the record mentioned in Clause 2d of the preceding Section.

and proceedings and records shall be more formal,

and shall be transmitted monthly to the Magistrate,

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SECTION XLIII.—*Clause 1st.*—The district police officer shall forward in custody to the Magistrate any person whom he may have reasonable cause to suppose to have been guilty of any penal offence of a nature more serious than those which he is empowered to try, and according to the principles of Section IX Clause 3d he is authorized to apprehend such person without written process: but he shall, after securing the suspected persons, investigate the matter, examine witnesses, and record such statements as the prisoner may voluntarily make, causing to be affixed thereto the signatures of two creditable persons in attestation, and, if the result confirm that there is occasion to bring the party to trial, the said proceedings shall be forwarded with him to the Magistrate:

Persons suspected of serious crimes to be apprehended and examined, and if requisite forwarded to the Magistrate,

Clause 2d.—The witnesses in the above cases shall also be forwarded to the Magistrate, or their attendance before him secured by recognizance or security in the manner prescribed in Sections from XXIV to XXVII both inclusive, and articles stolen or required in evidence shall be secured as directed in Clause 4th Section IX and forwarded to the Magistrate, and, if a prisoner should be desirous of furnishing security for his appearance in preference to being conveyed in custody, the district officer may accept the same, observing that by the above quoted rules murder and offences against the State are cases in which the party cannot be admitted to bail.

the attendance of witnesses being also secured.

and prisoners when fitting being allowed to furnish bail:

Clause 3d.—If there be reasonable cause to suppose that any person meditates disturbance to the public tranquility, or is likely to commit any penal act, the district police officer shall cause him to be conveyed to the Magistrate in the manner and with the forms directed by the two preceding Clauses, with regard to persons who are supposed to have committed offences: but, if the act apprehended be personal assault, it shall instead be competent to that officer to bind over the party by recognizance or security as above stated, if he consider the measure sufficient to ensure peaceable demeanour: provided that forfeiture of the same

offences to be prevented by apprehending the party who meditates them,

or binding him to good behaviour:

same shall only be determined by trial before some superior authority.

prisoners for transmission to the Magistrate not being detained for more than forty-eight hours without strong cause.

Clause 4th.—The district police officer shall not delay the transmission of prisoners for a longer period than forty-eight (48) hours unless for indispensable reasons, which must always be reported with the case, or before it, to the Magistrate.

The district police officer to investigate serious offences on the spot,

SECTION XLIV.—*Clause 1st.*—When offences of a serious nature are committed, the district police officer shall repair to the spot and investigate them personally, if other business permit:

particularly murder,

when an inquest must be held:

Clause 2d.—And, if a murder be committed, or any person die under circumstances conveying suspicion that his death has been unlawfully occasioned, the district police officer shall be careful to cause investigation thereof by means of an inquest, if the measure have not already been adopted by the village officer, to be held by three or more creditable individuals, whose report shall be committed to writing, and form part of the evidence in the case.

to suggest salutary rules to the Magistrate:

SECTION XLV.—*Clause 1st.*—It shall be the duty of the district police officer to suggest to the Magistrate such local rules as he may consider conducive to the comfort and benefit of the community, and to the prevention of vice and crime, and to execute such measures for these purposes as the Magistrate may direct under the authority conveyed in Section XIX.

to keep standard weights and measures, and stray animals, reporting the same:

Clause 2d.—The district police officer shall keep standards of weights and measures for public inspection, and take charge of stray animals and property found without an owner, reporting the same to the Magistrate, that they may be disposed of according to the principles of Section XIX Clause 8th:

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to enforce fair conduct on the part of labourers and dealers,

Clause 3d.—And if public dealers or labourers should refuse to furnish their services for public purposes, as provided in Section XVIII Clause 1st, the district police officer may in cases of emergency enjoin compliance, and, on complaint of the misbehaviour of servants, as adverted to in Section XVIII Clause 2d, shall require fair and reasonable conduct, and in the event of disobedience in either instance shall report the case to the Magistrate, or forward the offender to him if circumstances denote that interposition to such extent is required.

appealing when requisite to the Magistrate:

and to prevent illegal acts and force of any kind,

Clause 4th.—Any intention to take forcible possession of property, or to remove or alter boundary marks, or to commit any other illegal act as adverted to in Section XVI, shall be met with prohibition from the district officer, and if necessary, the act shall be prevented by the same measures of binding over or conveying to the Magistrate, which he is directed to adopt, against persons thought likely to commit a breach of the peace, in the 3d Clause of Section XLIII.

all police officers may demand public aid on certain occasions,

SECTION XLVI.—*Clause 1st.*—District or other police officers are mutually to afford aid to support each other's lawful authority, which may also be demanded from individuals, as detailed in the three first Clauses of Section XXXI, and persons withholding it may be seized and conveyed to the Magistrate, to be proceeded with as therein stated.

and those who withhold it may be sent to the Magistrate:

the district police officer may also demand military aid direct in emergent cases,

Clause 2d.—If military aid be required, the Magistrate will apply for it, but, if the occasion be so emergent as to induce the district police officer to request immediate assistance from any troops which may be at hand, he shall immediately report the same with a detail of all circumstances to the Magistrate.

reporting the same:

he is also to furnish returns, and make official arrangements

SECTION XLVII.—The district police officer shall furnish to the Magistrate any returns relating to the business of the department, which the latter may require; and he shall observe such

as directed by the Magistrate.

such forms and arrangement in keeping and forwarding records as the latter may direct.

CHAPTER VI.

OF THE DUTIES OF THE VILLAGE POLICE OFFICER OR HEAD OF A VILLAGE, AND OF VILLAGE POLICE.

The village police officer to obey the district police officer and the Magistrate; his communications being made as directed by the latter.

SECTION XLVIII.—*Clause* 1*st*.—The village police officer shall act in subordination to the zilla Magistrate and police officer of the district, in which the village may be situated: his official communications shall be held with the latter, unless the Magistrate find it more convenient to direct their being made to himself or one of his Assistants, in which case, such part of the following rules, as relates to making communications to the district police officer, shall be applicable to the said Magistrate or Assistant:

The village police officer has under him as police officers the subordinate revenue servants,

and may demand aid from the community, and forward to the district police officer those who withhold it:

Clause 2*d*.—The village police officer shall have authority to employ all revenue servants belonging to the village, each in his respective capacity, to aid in performing the duties described in the sequel, it being the particular duty of those employed in keeping the revenue accounts to frame all written returns and proceedings for the police officer: he may also demand aid from individuals, provided it be not of a nature inconsistent with religious usages, and he may seize any person refusing to afford it, and convey him to the district police officer, who, if satisfied that the aid was refused, will proceed as if such denial had been made to his own requisition:

he is to furnish authorized returns and communications to the district police officer,

afford all useful information,

Clause 3*d*.—The village police officer shall furnish such returns relating to the business of his department, and adopt such form in his communications as may be called for by the district police officer with the immediate authority of the Zilla Magistrate; he shall keep the district police officer well informed of the state of police in the limits of his village, the state and efficiency

efficiency of the police establishment, and all matters connected with the above, and he shall execute any process issued for that purpose by the Zilla Magistrate or district officer.

and execute orders:

SECTION XLIX.—*Clause 1st.*—The village police officer shall have authority to punish trivial cases of abuse or assault, provided the trial be held within eight (8) days after the act was committed, by confinement in any suitable place for a period not exceeding twenty-four (24) hours:

also to punish trivial offences:

Clause 2d.—The proceedings in such cases shall be verbal, and held in the presence of the parties, and persons refusing to attend or give evidence may be seized and conveyed to the district officer, to be dealt with as directed in the 2d Clause of the preceding Section: but it shall always be optional with the complainant to withdraw the complaint and make private compromise:

his proceedings how regulated, and witnesses how compelled to give evidence.

the complaint may be at any time withdrawn:

Clause 3d.—The names of the parties, the alleged offence and the punishment, acquittal, or withdrawing the complaint shall be recorded with their respective dates, and forwarded monthly to the district officer, for transmission to the Zilla Magistrate.

monthly record required.

SECTION L.—*Clause 1st.*—The village police officer shall apprehend and convey to the district officer any person within the limits of the village, whom he may have reason to suppose to have committed elsewhere any penal act, or within the said limits any such act of a nature more serious than those which he is himself authorized to punish; he shall also forward, with the offender, all persons who may be capable of giving evidence respecting the same, and articles which may have been stolen, or are required to be produced in elucidation:

offenders to be apprehended, and with all information procured forwarded to the district police officer:

Clause 2d.—In order to ascertain the above points, the village

witnesses to be summoned

and examined, and stolen articles searched for and seized under certain regulations,

lage officer shall have authority to call and examine witnesses, and search for concealed articles, observing that such search be not made in a dwelling house between sunset and the ensuing sunrise without urgent occasion, and that, by every means consistent with the object in view, intrusion on domestic and religious privacy be avoided, and further, that a house belonging to a person of any of the higher classes of society be not searched, except on order by the district police officer or higher authority; and, in order to effect the seizure of offenders,

the police of other villages assisting in case of need;

the village police officer shall be competent, when necessary, to call on the establishments of adjacent villages to cooperate with him:

persons withholding assistance, or otherwise offering obstruction, may be sent to the district police officer,

Clause 3d.—Persons who may refuse to assist, attend, or give evidence, or who may obstruct a search or other process, shall be seized and conveyed to the district officer, who, if satisfied of the fact, shall deal with them, as if the same had occurred in a case before himself:

no person being detained for more than twenty-four hours;

Clause 4th.—The transmission of a prisoner shall not be delayed for a longer period than twenty-four (24) hours, unless for indispensable reasons, which must be reported forthwith to the district officer.

absconding offenders to be immediately reported to the district police officer,

SECTION LI.—*Clause 1st.*—If an offence be committed within the limit of the village, the perpetrator whereof has escaped, or is not known, the village officer shall investigate the matter, and forward immediate information with all procurable evidence to the district officer:

and pursued throughout the British jurisdiction until apprehended.

Clause 2d.—And perpetrators of offences, who may escape from the limits of the village wherein the same may have been committed, shall be pursued throughout the British jurisdiction, all village officers being enjoined to give mutual aid on such occasions, and, when such perpetrators are seized, they shall be conveyed

conveyed to the district officer, within whose jurisdiction their apprehension has been effected.

When a person dies, or a corpse is found under suspicious circumstances,

SECTION LII.—*Clause 1st.*—If a person should die under circumstances which afford suspicion that death has been unlawfully occasioned, or a corpse be found, the village police officer shall forthwith assemble an inquest, to be composed of three or more creditable persons belonging to the village, who shall investigate the causes and circumstances, and make a written report of the same, which the village officer shall forward to the district officer to be used during ulterior proceedings as evidence:

an inquest must be held, and the results recorded,

and transmitted to the district police officer,

Clause 2d.—And any person refusing to perform the above duty shall be seized and conveyed to the district officer, who, if satisfied of the fact, will deal with the offender as if the denial had been made to his own requisition:

and a person unduly refusing to give aid may be sent to the district police officer,

Clause 3d.—The village police officer shall also, if possible, delay the burning or burial of the corpse, until the permission of the district police officer is obtained.

whose permission shall be obtained before the corpse is disposed of.

Offences to be prevented by apprehending the party who meditates them, and sending him to the district police officer,

SECTION LIII.—*Clause 1st.*—If the village officer has reason to suppose that any person meditates, or is likely to commit an assault, to take forcible possession of property, to alter boundary marks without the consent of those conserned, or to commit any other penal act, he shall apprehend such person, by the same means as above prescribed for seizing offenders, and convey him to the district officer:

who is also to be apprized of suspicious disposal of property,

Clause 2d.—He shall report to the district officer all instances which may come to his knowledge of property being disposed of, or valuable articles altered in such way as indicates that they have been unlawfully acquired:

Clause

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or other matters affording ground of distrust.

Clause 3d.—He shall also so report instances which may come to his knowledge of individuals adopting habits connected with a predatory or desperate course of life, and of their leaving their homes for supposed hostile purposes, or assisting in any way individuals who have acted as above described:

All stray animals and property to be secured by the village police officers and reported,

Clause 4th.—He shall take charge of stray animals, and property found without an owner, reporting the same to the district officer, and disposing of them as he may direct:

and the village police establishment to be employed in the best way, and any misconduct duly made known.

Clause 5th—And he shall dispose of the village establishment so as to afford the utmost possible security against robbery, assault, and acts injurious to the community, and report to the district officer all instances of misconduct or neglect committed by any part of the said establishment.

APPENDIX A.

(*See Section* III *Clause 5th.*)

Form of oath to be taken by the Zilla Magistrate and his Assistants.

I A. B. appointed (Magistrate *or* First, Second, and so forth, Assistant to the Magistrate, *as the case may be*) of the zilla of —— do solemnly swear, that I will, to the best of my ability, preserve the peace of the said zilla; that I will act with impartiality, and integrity, and will not exact or receive directly or indirectly, or knowingly permit any person under my control or in my service to exact or receive, directly or indirectly, any fee, reward, or emolument whatever, in the execution of, or on account of any matter relating to the duties of my office, excepting such as the orders of the Governor in Council do or may expressly authorize; and that I will perform the duties of my office, according to the best of my knowledge, abilities, and judgment,

judgment, conformably to the regulations that have been or may be passed by the Governor in Council.

So help me God.

(Signed) A. B.

Date

Magistrate,

or

First, Second &c. Assistant to the Magistrate.

APPENDIX B.

(See Section V.)

Commission to be issued to a District Police Officer not employed in the Revenue Department.

Magistrate's Seal.

To (insert the officer's name and that of his father.)

You are hereby appointed police officer for (insert the name or boundary of the district), and invested with authority for the purpose of aiding the Magistrate in preserving the peace, preventing offences, apprehending offenders, and promoting the welfare of the community at large in that district. You are to perform these duties in the manner prescribed in the Regulations, carefully superintending the conduct of subordinate police officers.

(Magistrate's Signature.)

(Date.)

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APPENDIX C.

(See Section VI *Clause* 1st.)

Commission to be issued to a village police officer.

Magistrate's Seal.

To (insert the officer's name and that of his father, with his caste or profession), of (insert the name of the village.)

You are hereby appointed police officer for the village of (insert the name of the village and the purgunna or division in which it may be situated) and are vigilantly to preserve the peace thereof, to apprehend offenders, and prevent offences therein, to follow carefully such instructions as may be issued by the Magistrate or the district officer, and employ the village establishment in its respective duties; all which you will perform in the manner directed in the Regulations, an extract from which is herewith furnished to you.

(Date.) (Magistrate's Signature.)

APPENDIX D.

(See Section IX *Clause 2d.)*

Form of summons for the attendance of a person charged with an offence.

To ——— Inhabitant of ———.

Whereas you stand charged with the crime of ——, you are hereby required to appear (in person *or* by vakeel) before me at my kuchery at —— on or before the —— day of —— to answer to the said charge. Herein fail not.

Dated the —— day of —— A. D. ——

corresponding with (insert the native date)

Signature of the Magistrate,
or *Assistant to the Magistrate.*

APPENDIX

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APPENDIX E.

(See Section XIII *Clause* 1*st.)*

Form in which the Zilla Magistrate is to communicate sentences to be executed by the Criminal Judge.

To A. B.

Criminal Judge of (insert the name of the Zilla.)

The undermentioned Convict is herewith delivered to your custody to undergo the Sentence herein stated.

Convict's Name.	Offence of which convicted.	Sentence.

(Date.) (Magistrate's Signature.)

APPENDIX F.

(See Section XIII *Clause* 2*d.)*

Form of proclamation to announce the extension of a Zilla Magistrate's penal jurisdiction.

Whereas (here recite the reasons which have led to the extension of the Zilla Magistrate's powers) it has in consequence appeared expedient to the Governor in Council, that the Magistrate of the zilla of (insert the name of the zilla) should be vested with powers to adjudge the following punishments, either singly or combined, according to the Regulations for offences committed, viz. (here recite the punishments), this proclamation is therefore issued agreeably to Section XIII Regulation XII A. D. 1827 for the purpose of conferring the above recited powers on the said Magistrate of the zilla of (insert the name of the zilla) and of giving public intimation of the same.

(Date.) (Signature of the Secretary to Government.)

APPENDIX

REGULATION XII. A. D. 1827.

APPENDIX G.

(See Section XIII *Clause 3d.)*

Form of proclamation to announce that the Zilla Magistrate is invested with power to make commitments for trial before a Court of Circuit.

Whereas, (recite the reasons for investing the Magistrate with the said power) it has in consequence appeared expedient to the Governor in Council that the Magistrate of the zilla of (insert the name of the zilla) should be vested with power to commit for trial before a Court of Circuit the perpetrators of offences which that tribunal is accustomed to try, this proclamation is therefore issued agreeably to Section XIII Regulation XII A. D. 1827 to confer the said power and give public intimation of the same.

(Date.) (Signature of the Secretary to Government.)

APPENDIX H.

(See Section XXIV *Clause 1st.)*

Form of recognizance bond.

Whereas I (insert the name of the party and, if the party be a male, the name of his father, also his caste and profession, if the party be a female, the name of her husband, if married, and of her father if unmarried) have been required by (insert the authority before whom the process is made) to (insert the act which is to be performed or refrained from), I hereby engage to act according to the said requisition, and in failure thereof to forfeit to the Sirkar the sum of (insert the amount) being aware that, if such payment be not made, I shall be liable to be imprisoned in the Criminal Jail for a period of (insert the period.)

(Date.) (Signature of the party.)

Executed before me

(Signature of the authority before which executed.)

APPENDIX

A. D. 1827. REGULATION XII.

APPENDIX I.

(*See Section* XXIV *Clause 3d.*)

Form of security bond.

Whereas A. B. (insert the party's name, caste and profession) inhabitant of —— has been required by (insert the authority before which the bond is executed) to furnish security for (insert the act to be performed or refrained from) therefore I (*or* we) (insert the names, castes, and professions) residing at —— engage on the part of the said A. B. that he will act as above required: and that, if the said A. B. fail in the said condition, I (*or* we) will forfeit to the sirkar the sum of rupees —— *to be exacted from either of us or from both or all of us jointly* (this to be inserted if there be more than one security in the same Bond) being aware, that, if I (*or* we) fail to pay the abovementioned sum, I (*or* we) subject myself (*or* ourselves) in lieu thereof to imprisonment for the term of (insert the period) in the criminal jail of the zilla.

It is to be understood that I (*or* we) am (*or* are) at liberty to release myself (*or* ourselves) at any time from the future consequences of this security bond, provided that its conditions shall not then have been infringed, by delivering up the said A. B. to the said (insert the authority taking the bond) or giving thereto information by which his apprehension is effected, and stating my (*or* our) wish to be so released.

(Date.) (Signed) By the security or securities.

Executed before me

(Signature of the authority before which executed.)

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APPENDIX J.

(See Section XXXVIII *Clause 2d.)*

Form of proclamation to be made previous to attaching the property of a fugitive.

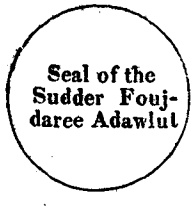
Whereas (insert the name of the party, his residence, and any denomination by which he may be generally known, or such description as will suffice to identify him) has been charged with, (insert the offence) this is to give notice that his attendance before (insert the authority and its station) is required within (insert the period) from the date hereof; and, if he do not attend accordingly, his property will be attached by virtue of Regulation XII A. D. 1827 Section XXXVIII.

(Date.) (Magistrate's Signature.)

APPENDIX K.

(See Section XXXIX *Clause 2d.)*

Form of proclamation to be made previously to the banishment of a fugitive.



Whereas A. B. (insert his age, a description of his person, caste, and profession, or so much of these as is known) supposed to be an inhabitant of (insert the place) is charged with *bahur-wutaee* and (insert any other offence which the party may be accused of) He is hereby required to deliver himself up to the Magistrate

Magistrate at (insert the station) within two months from the date hereof:

And if he do not so deliver himself up he will be under sentence of banishment for life from the zilla (*or* zillas) of (insert the name or names) and on appearing in any part thereof will be liable to be imprisoned for life by virtue of Regulation XII A. D. 1827 Section XXXIX.

(Signature of the Register to the Court of Sudder Foujdaree Adawlut.)
(Signature of the Magistrate.)

(Date at which the Proclamation is published to be inserted by the Magistrate.)

APPENDIX L.

(See Section XXXIX *Clause 4th.)*

Form of a certificate for recall of a sentence of banishment.

Seal of the Sudder Foujdaree Adawlut

Whereas A. B. (insert the same particulars which were mentioned to identify the party in the proclamation of banishment) was banished from (insert the places) by a proclamation dated (insert the date)

This is to give notice that the said sentence of banishment is recalled, and that the said A. B. will not be proceeded against in consequence of the said sentence, if he should return to the said places.

(Signature of the Register to the Court of Sudder Foujdaree Adawlut.)

(Date)

REGULATION XII. A. D. 1827.

APPENDIX M.

(*See Section* XLII *Clause* 1*st.*)

Form of Proclamation to announce that a District Police Officer's penal jurisdiction is extended.

Seal of the Sudder Foujdaree Adawlut

Whereas (here recite the reasons which have led to the extension of the district police officer's authority) it has in consequence appeared expedient to the Governor in Council that the police officer of the district of (insert the district) should be vested with powers to adjudge the following punishments, either singly or combined, according to the Regulations for offences committed, viz. (here recite the punishments) and to try cases of (here recite, as far as may be practicable, the offences cognizable by him) and the Court of Sudder Foujdaree Adawlut has been directed to announce the grant of the above recited powers to the said police officer of the district of —— in the mode prescribed by Regulation XII A. D. 1827 Section XLII; this proclamation is therefore issued for the purpose of conferring the above recited powers on the said police officer of the district of —— and of giving public intimation of the same.

(Signature of the Register to the Court of Sudder Foujdaree Adawlut.)

(Date)

(Branch of Criminal Judicature.)

A. D. 1827. REGULATION XIII.

A REGULATION *for defining the constitution of Courts of Criminal Justice, and the functions and proceedings thereof.*—PASSED *by the Governor in Council on the 1st of January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of seven (7) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Functions of Criminal Justice, and establishment of Courts for its administration,*	I.
II.	*Of the duties of the Criminal Judge*....	XII.
III.	*Of the functions of the Court of Circuit, and duties of the Criminal Judge as connected therewith*.....	XVI.
IV.	*Of the duties of the Special Court*.....	XXIV.
V.	*Of the duties of the Court of Suddur Foujdaree Adawlut*.....	XXVII.
VI.	*Rules for procuring, taking, and recording evidence, and for the conduct of trials by Criminal Courts*.....	XXXIV.
VII.	*Of the Jail, and of the custody and treatment of prisoners*.....	XLII.

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(Branch of Criminal Judicature.)

REGULATION XIII. A. D. 1827.

A REGULATION *for defining the constitution of Courts of Criminal Justice and the functions and proceedings thereof.* —PASSED *by the Governor in Council on the* 1st *of January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is expedient, with the view of facilitating the correct discharge of their important duties by the judicial authorities, and of promoting the interest of the community at large, that the rules for the administration of criminal justice should be so framed and arranged as to be capable of easy ascertainment and speedy reference, and that they should therefore be combined in one enactment upon the subject of criminal justice, to contain provisions regarding the functions of criminal justice and the establishments for its administration, the general duties and powers of the Criminal Judge, those of the Court of Circuit, of the Special Court, and of the Suddur Foujdaree Adawlut, the procuring, taking and recording evidence, and conducting trials, the treatment of prisoners, and the execution of sentences, the following rules have therefore been enacted to have effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER

REGULATION XIII. A. D. 1827.

CHAPTER I.

FUNCTIONS OF CRIMINAL JUSTICE, AND ESTABLISHMENT OF COURTS FOR ITS ADMINISTRATION

Functions of criminal justice.

SECTION I.—*Clause* 1*st.*—The functions of criminal justice are to conduct the trials of persons accused of crimes and serious offences, and to maintain adherence to Regulations made for the said purpose, and for the guidance of Magistrates and police officers in general:

to be performed by the Suddur Foujdaree Adawlut, Special Court, Court of Circuit and Criminal Judge.

Clause 2*d.*—These functions shall be performed by the Supreme Criminal Court denominated the Court of Suddur Foujdaree Adawlut, the Special Court, the Court of Circuit, and the Criminal Judge, according to the rules enacted for each respectively, offences of a political nature as described in Regulation XIV A. D. 1827 Chapter III, being tried by the Special Court exclusively.

The Suddur Foujdaree Adawlut has supreme criminal jurisdiction:

SECTION II.—*Clause* 1*st.*—The supreme criminal jurisdiction over the territories subject to the Presidency of Bombay, in which Zilla Courts may be established, shall be vested in the Court of Suddur Foujdaree Adawlut:

is stationed at the seat of the Suddur Dewaunee Adawlut: is composed of its Judges and has also its officers:

Clause 2*d.*—This Court shall be situated at the same place and composed of the same Judges as the Court of Suddur Dewannee Adawlut, the officers of which (both European and Native) shall perform also in the Criminal Court their respective functions, in the discharge of which they shall be subject to the same rules and responsibility as in their civil capacities, and the denomination and rank of each Judge, or officer, shall correspond with that which he bears in the Civil Court.

seal of the Court:

SECTION III.—*Clause* 1*st.*—The Court shall use a circular seal two inches and a quarter in diameter, on which shall be inscribed in the English, Mahratta, Guzeratee, and Persian languages

guages and characters "*The Suddur Foujdaree Adawlut of Bombay.*"

oaths of its Judges,

Clause 2d.—Each Judge shall previously to exercising any of the functions of his office take and subscribe before the Governor in Council, or in open Court, the oath described in Appendix A, and each Register and Assistant Register shall, previously to entering on the functions of his office, take and subscribe in open Court the oath described in Appendix B, and each law or ministerial officer, whose functions require qualification by solemn declaration in his civil capacity, shall take and subscribe in open Court a similar declaration, except that his designation shall be made to correspond with that borne in the Criminal Court:

and officers,

and securities of the Nazir.

Clause 3d.—The Nazir shall also furnish security in the same way as enacted to be done in his civil capacity, and it is not intended to prohibit the same persons from being bound for him in both the civil and criminal departments.

The Special Court for trying state offences

SECTION IV.—*Clause 1st.*—A Special Court of Justice may be assembled at any place required, by order from the Governor in Council, to try charges of crimes against the state:

to be composed of three Judges:

their selection and rank.

Clause 2d.—Such Court shall be composed of three Judges, to be selected by the Governor in Council from among the Judges of the Suddur Foujdaree Adawlut and Zilla Judges, and they shall be denominated "*Chief*," "*Second*" and "*Third Judge*," according to their seniority in the Civil Service: Judges of the Suddur Foujdaree Adawlut however ranking above any others, and according to their seniority in that Court:

The establishment of the Criminal Judge officiates as that of the Special Court:

Clause 3d.—The Assistants on the establishment of the Criminal Judge of the Zilla in which the Special Court may be assembled shall, if required, officiate as Registers and Assistant

tant Registers, according to their respective ranks, in the Special Court, and all officers of the said establishment shall also perform their respective functions in the said Court.

oaths of the Judges,

Clause 4th.—Each Judge shall previously to entering on the functions of his office take and subscribe before the Governor in Council, or any person commissioned by him to administer it, the oath described in Appendix A, and each Register or Assistant Register shall take and subscribe in open Court the oath contained in Appendix B, and every ministerial or law officer, whose functions in the Criminal Court of the Zilla require qualification by oath or declaration, shall make and subscribe before the Special Court a corresponding oath or declaration.

and officers.

The Court of Circuit for the trial of heinous offences not being against the state,

held by the Judges of the Suddur Adawlut in rotation,

at the Suddur station of each Zilla unless when otherwise directed:

SECTION V.—*Clause 1st.*—There shall be a Court of Circuit, for the trial of crimes and serious offences exclusive of crimes against the state, held in each Zilla by one of the Puisne Judges of the Suddur Foujdaree Adawlut in rotation: the sessions of the said Court shall, unless otherwise directed, be held at the Suddur station of each zilla, but if Government should issue special directions to such effect, the Court may sit elsewhere within any zilla for the trial of one or more cases, or all the cases belonging to such zilla: the Suddur Foujdaree Adawlut may also, under the rules contained in Section XXX Clause 3d, recommend to Government the issue of such directions:

in the Surat Zilla quarterly,

Clause 2d.—The sessions for the Surat Zilla shall be quarterly, commencing on the 1st January, 1st April, 1st July and 1st October in each year; and in other Zillas half yearly, the tours commencing on the 1st of March and 1st of October in each year.

and elsewhere half yearly;

but deviations are allowed as directed by Government and by the Suddur Adawlut,

Clause 3d.—But, it shall be competent to the Court of Suddur Foujdaree Adawlut to cause a tour of Circuit, or sessions, at any particular Zilla except Surat, to take place (according to the

the rules for the ordinary Sessions) intermediately to the half-yearly Sessions, the same, when directed by the Court, being reported with the reasons for it to the Governor in Council; and for sufficient cause the order for rotation may likewise be broken at the discretion of the Court or by order from Government.

the sanction of Government being in some cases necessary.

SECTION VI.—*Clause* 1*st.*—The ministerial and law officers (whether European or Native) on the establishment of the Criminal Judge at each zilla, shall, if required, officiate in their respective capacities in the Court of Circuit held in that zilla, under the denominations and with the qualifications prescribed to be adopted with respect to a Special Court in the 3d and 4th Clauses of Section IV.

The establishment of the Criminal Judge officiates as that of the Court of Circuit,

each individual duly qualifying himself.

Clause 2*d.*—The Court of Circuit shall use a circular seal, two inches and a quarter in diameter, bearing the following inscription in the English, Persian, Mahratta and Goozeratee languages and characters, "*The Court of Circuit for Bombay.*" This seal shall remain in the custody of the Judge on Circuit during his tour, and shall then be lodged with the Register of the Suddur Foujdaree Adawlut.

The Court's seal.

remains on circuit with the Judge, and is afterwards deposited in the Suddur Adawlut.

SECTION VII.—*Clause* 1*st.*—There shall be a Criminal Court in each zilla for the trial of crimes and offences of a less heinous nature than those reserved for the Sessions of the Court of Circuit, and it shall be held by the Zilla Judge under the denomination of Criminal Judge: the ordinary seat of this Court shall be at the Suddur station, but it shall be competent to the Criminal Judge on procuring the sanction of the Suddur Foujdaree Adawlut to hold the Court in any part of the zilla.

Court of the Criminal Judge,

usually at the Suddur station, but may be held elsewhere if sanctioned by the Suddur Adawlut.

Clause 2*d.*—Previously to exercising any functions of his office

Oath of the Criminal Judge,

fice the Criminal Judge shall take and subscribe before the Governor in Council, or any person commissioned by that authority to administer it, the oath contained in Appendix C, and he shall also take and subscribe before any competent authority the oath of qualification as one of His Majesty's Justices of the peace.

and his qualifications as Justice of the Peace;

his seal:

Clause 3d.—The Criminal Judge shall use a seal one inch and three quarters in diamater, bearing in the English language and character, and also the language and character most used in the zilla, the following inscription "*The Criminal Court of the Zilla of*———."

his Assistants:

SECTION VIII.—*Clause 1st.*—The Assistants to the Zilla Judge shall officiate in their respective ranks as Assistants to the Criminal Judge; they shall aid in the administration of criminal justice under the rules contained in the succeeding Chapter, and use the seal of the Criminal Judge: previously to discharging the functions of their offices, they shall take and subscribe before the Criminal Judge in open Court the oath contained in Appendix C.

their oaths.

the Assistant of highest rank supplies the place of the Criminal Judge when absent,

Clause 2d.—In case of a Criminal Judge being absent or deceased, without an arrangement for the discharge of his duties having been made by Government, the Assistant of highest rank on the spot shall take charge of and conduct the said duties, except that he shall not pass any sentence beyond the extent to which he is authorized in his capacity of Assistant.

without exceeding his proper jurisdiction.

The officers of the Civil Court belong also to the Criminal Court,

Clause 3d.—The ministerial and law officers of the Civil Court shall officiate in their respective capacities in the Criminal Court also: and such of them as may be required to make declaration or to furnish security, in order to qualify them for discharging their Civil functions, shall, before commencing

mencing their duties in the Criminal Court, execute and enter into corresponding qualifications with the requisite alteration in the designation of the Court:

and are in like manner qualified;

Clause 4th.—But, if the extent or nature of the business to be performed by any ministerial officer be such as to render it inconvenient for him to be employed in both the civil and criminal capacities, there shall be no bar to appointing separate individuals to perform the duty in the two capacities, they being duly qualified as described in the preceding Clause, and distinguished by prefixing the term "*Civil*" or "*Criminal*" to their designations respectively, which shall in nowise alter their situation, as to responsibility to the rules enacted for such officers in the civil branch of the code.

but the offices may be kept distinct for convenience.

SECTION IX.—*Clause 1st.*—Courts of Criminal Justice shall be kept open for transaction of business on all days, except Sunday, and those specified in Appendix D, and such other days as may be specified in the list of local holidays required by Regulation III A. D. 1827 Section I Clause 3d to be publicly notified:

Criminal Courts may always sit except on certain specified days,

Clause 2d.—But, it is not intended to preclude the transaction of business on the days above excepted when there may be urgent occasion; nor to consider as illegal any process on the ground of its having taken place upon those days.

and on those also for good reason,

and process taking place on those days is legal.

SECTION X.—Negligence or breach of duty, bribery, extortion, and generally all acts of abuse or misapplication of authority, or other misconduct committed by any Native officer on the establishment of a Criminal Court shall be noticed and punished in the same manner, as enacted respecting such officer in his civil capacity in Regulation II A. D. 1827 Sections VI and XXV and Chapter III, and a sentence passed under any

Misconduct of native officers of Criminal Courts punishable as in the department of Civil Justice,

of

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and further prosecutable civilly and criminally.

of the above quoted enactments shall not preclude any other prosecution civil or criminal to which the offender may be liable.

Criminal Courts have authority to take recognizance of security, and to punish contempts.

SECTION XI.—All Judges of Criminal Courts and Assistants to Criminal Judges shall have authority to bind persons by recognizance or security, under the rules on the subject contained in Regulation XII A. D. 1827 Sections from XXIV to XXVII both inclusive, to perform or forbear from matters within the province of the Court to enjoin or forbid: they shall also be competent to punish such conduct committed in open Court as constitutes disturbance, opposition to the Court's legal authority, or insolence, by fine or ordinary imprisonment without labour, or both, provided that the culprit be not confined for a longer period than two (2) months in the whole, and that if the sentence were passed by a Junior Assistant, it shall be enforced by the Criminal Judge as approved by him on revision.

CHAPTER II.

OF THE DUTIES OF THE CRIMINAL JUDGE.

Reference to the Criminal Judge's police duties.

SECTION XII.—*Clause* 1*st*.—Such part of the Criminal Judge's duties as relates to the police of the Suddur station is comprised in Regulation XII A. D. 1827.

The Criminal Judge tries offences and adjudges punishment within certain limits;

Clause 2*d*.—The Criminal Judge shall have authority to try crimes and offences committed within his jurisdiction, and to adjudge punishment for the same within the limits specified in the succeeding Section, and if it appear that any criminal act, which there is reason to believe has really been committed, require a degree of punishment beyond the said limit, he shall commit the offender to be tried by the Court of Circuit: Provided always, that if a case should occur, which, from any peculiarity in the circumstances, the Criminal Judge may consider, though not requiring severer punishment than he is authorized to adjudge,

he commits the offender for trial by the Court of Circuit, if severer punishment is required, and also in peculiar cases with the sanction of the Suddur Adawlut:

yet

yet proper to be brought before a different or higher tribunal, he may report the same with his reasons to the Suddur Foujdaree Adawlut, which will instruct him whether to proceed with the trial or commit the offender to be tried by the Court of Circuit.

delegates cases to his Assistants,

Clause 3d.—The Criminal Judge shall have authority to delegate to his Assistants the trial of offences, and also the adjudging of punishment within the limits specified as applicable respectively to Assistants in the succeeding Section, and when on a trial it shall appear to an Assistant that an offence requires a degree of punishment beyond the limit which he is authorized to adjudge, he shall refer the case to the Criminal Judge.

who when necessary refer them for final judgment to the Criminal Judge,

and he may also recall such cases and review proceedings,

Clause 4th.—The Criminal Judge shall always have authority to take into his own hands the trial of cases which may have been delegated to his Assistants, to review their proceedings, and to mitigate or annul, but not to enhance their sentences; he shall also be empowered to employ his Assistants in the preparation of cases for trial by himself, and generally in the execution or superintendence of any duties of the department.

and employ his Assistants in preparing cases, or in other parts of his duties, at his discretion.

Warrants, precepts &c. of the superior Courts to be obeyed,

Clause 5th.—The Criminal Judge shall execute warrants and precepts, and conform to instructions issued by the Court of Circuit, Special Court, or Suddur Foujdaree Adawdut, under authority of the code of Regulations, and he shall make such preparations for the sessions of Courts of Circuit and Special Courts as are directed by the enactments on those subjects.

and preparations for their sessions made by the Criminal Judge:

general complaints also to be heard and inquired into by him,

Clause 6th.—The Criminal Judge shall receive complaints made against any persons whomsoever in matters, for which the ordinary course of law does not afford a mode of obtaining redress: he shall investigate them summarily in such manner as he has the means of doing, and if satisfied that there exist

reasons

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and if thought reasonable reported to Government,

reasons for any further measures being adopted, shall report the case to the Governor in Council.

as also breaches of the prohibitions against the slave trade.

Clause 7th.—The Criminal Judge shall report to the Governor in Council all convictions, which may take place before himself or a Court of Circuit, of acts in breach of the prohibitions in Regulation XIV A. D. 1827 Sections XXX and XXXI against the slave trade.

The Criminal Judge's penal jurisdiction:

SECTION XIII.—*Clause 1st.*—The punishments which the Criminal Judge is authorized to inflict, are as follows;

solitary imprisonment six months:

Solitary imprisonment for a period not exceeding six (6) months:

imprisonment and hard labour seven years:

Ordinary imprisonment with hard labour for a period of seven (7) years:

flogging fifty stripes:

Flogging to the extent of fifty (50) stripes:

disgrace, fine, and personal restraint:

Public disgrace, fine, and personal restrant:

alone or combined:

These punishments may be awarded either singly or combined, except that whatever period of imprisonment may be assigned in commutation for fine is to be included in the limitation of seven (7) years.

explanation as to imprisonment:

sentences for more than two years' imprisonment

Clause 2d.—If the Criminal Judge shall pass a sentence, whereby a prisoner is liable to imprisonment for more than two (2) years, he shall, previously to executing it, refer the case, with copies of all the evidence and statements, to the Court of Suddur Foujdaree Adawlut, which shall have power to confirm, mitigate, or annul the sentence, and, if the sentence be confirmed either wholly or in part, a warrant for execution shall be issued by the said Court.

to be referred to the Suddar Adawlut,

and enforced as confirmed.

Clause

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Clause 3d.—The punishments to be adjudged by a Senior Assistant shall not exceed the following limits:

The Senior Assistant's penal jurisdiction:

Ordinary imprisonment, with hard labour, for a period not exceeding two (2) years:

ordinary imprisonment and hard labour for two years:

Flogging (for theft only) to the extent of thirty (30) stripes:

flogging (for theft only) thirty stripes:

Fine, to be limited by the period of imprisonment assigned in commutation not exceeding two (2) years:

fine limited by imprisonment:

Disgrace and personal restraint:

disgrace and personal restraint:

These punishments may be inflicted singly or combined, except that whatever period of imprisonment may be assigned in commutation for fine is to be included in the limitation of two (2) years:

explanation as to imprisonment.

Clause 4th.—But, it shall be competent to the Governor in Council, for special reasons, to enlarge the authority of a Senior Assistant, as specified in the preceding Clause, to any extent not exceeding the authority of the Criminal Judge, by means of an order addressed to the Assistant on whom the authority is conferred, and forwarded to him through the medium of the Criminal Judge, notice being at the same time given by Government to the Court of Suddur Foujdaree Adawlut:

Government may by notice render the penal jurisdiction of a Senior Assistant equal to that of the Criminal Judge,

Clause 5th.—In which case the provisions of Clause 2d of this Section shall become applicable to the said Assistant, the exercise of whose extended powers shall also continue subject to the control of the Criminal Judge as specified in Clause 4th of Section XII, or elsewhere.

and imprisonment for more than two years must then be confirmed by the Suddur Adawlut.

Clause 6th.—The punishments which a Junior Assistant is authorized to adjudge shall not exceed the following limits:

Penal jurisdiction of a Junior Assistant.

Ordinary

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imprisonment for two months:

Ordinary imprisonment without labour for a term not exceeding two (2) months:

fine as limited by imprisonment:

Fine limited by the period of imprisonment assigned in commutation never exceeding that just specified:

personal restraint,

Personal restraint:

alone or combined;

These punishments may be inflicted singly or combined, except that whatever period of imprisonment may be assigned in commutation for fine is to be included in the limitation above specified.

explanation as to imprisonment.

Minute book of the Court,

SECTION XIV.—*Clause 1st.*—A minute book of daily proceedings in the language of the zilla shall be kept by the Criminal Judge and his Assistants; it shall contain a reference,

to refer to,

by number, letter, or other convenient mark, to every document produced before or issued by the Court, which may have been received or used officially, and shall narrate at large

or contain all document.

all such proceedings, orders, and information respecting business transacted by the Court, as may not be contained in the said documents; the narration shall be made in the order in

in order,

which the matter thereof may have occurred, and each day's

and to be signed each day:

proceedings shall be authenticated by the signature of the Criminal Judge, or Assistant, who held the Court:

documents and cases to be preserved distinct and in order,

Clause 2d.—The documents belonging to each case (or copies thereof, if it may have been necessary to dispose otherwise of the originals,) shall be kept separate, and they shall, as well as petitions and miscellaneous papers, be arranged, with such reference to the minute book and the day book described in the ensuing Clause, as may best facilitate their production when required.

and deliver. ed over in due time to the record keeper,

Clause 3d.—The exhibits mentioned in the preceding Clause shall be delivered by the Serishtadar to the Record-keeper,

so soon as their immediate use in Court can be dispensed with, and with them an inventory thereof, which shall be signed by the Record-keeper and returned to the Serishtadar: the Record-keeper shall enter in a day book the denomination of every exhibit with its mark; such as belong collectively to the same case shall be so classed, and in every case the date of the information being first laid, and of judgment being passed, and the names of the parties shall be recorded.

who will pass his receipt and duly record them.

Clause 4th.—The Criminal Judge shall transmit to the Court of Suddur Foujdaree Adawlut such periodical reports relating to the business transacted in his department as that Court may call for, under the immediate instructions of Government.

Periodical reports to be furnished to the Suddur Adawlut with the sanction of Government.

SECTION XV.—*Clause 1st.*—The execution of every warrant and precept issued by the Court of Suddur Foujdaree Adawlut or Circuit shall be certified, with the mode in which it was performed, by endorsement on the instrument, which shall then be transmitted to the Court of Suddur Foujdaree Adawlut, a copy being also deposited on the Criminal Judge's records.

The execution of warrants, precepts &c. to be endorsed on the instrument, which is then to be sent to the Suddur Adawlut:

Clause 2d.—When a prisoner under sentence is transferred by the Criminal Judge to the custody of another officer, the warrant shall be delivered with him, and on it shall be endorsed the extent of punishment already inflicted at the time of such transfer; a copy shall be deposited in the Criminal Judge's records, and it shall be the part of the officer, under whose custody the sentence is completed, further to endorse the warrant, as directed in the preceding Clause:

and when a prisoner is transferred, his warrant duly endorsed accompanies him, and alone certifies regarding him,

Clause 3d.—But when, in the execution of a sentence of transportation, the prisoner and warrant are forwarded by the Criminal Judge under the provisions of Regulation XIV A. D. 1827 Section V Clause 1st to any officer not subordinate to the Suddur Foujdaree Adawlut, a copy of the receipt of such officer

except to be sent to Bombay, when the Magistrate's receipt of him is equivalent to final execution.

officer shall be forwarded by the Criminal Judge to the Suddur Foujdaree Adawlut, as a final return regarding the disposal of the prisoner.

CHAPTER III.

OF THE FUNCTIONS OF THE COURT OF CIRCUIT, AND DUTIES OF THE CRIMINAL JUDGE AS CONNECTED THEREWITH.

Duties of the Judge on Circuit, to try prisoners,

and conduct investigations confided to him by the Suddur Adawlut;

SECTION XVI.—*Clause* 1*st.*—The Judge on Circuit shall try all prisoners who may be brought before him for that purpose at the commencement or during the continuance of the sessions, and conduct such investigations as may be confided to him by the Court of Suddur Foujdaree Adawlut, or by the Court of Suddur Dewannee Adawlut according to the provisions contained in the 3d Clause of Section VI Regulation II A. D. 1827 for trial of certain public officers:

to inspect the Criminal Judge's and Magistrate's proceedings, and notice errors,

as may be required:

Clause 2*d.*—He shall have authority to examine and investigate cases tried in the Criminal Judge's and Zilla Magistrate's departments, to notice to the officer concerned erroneous judgments, and to forward cases, if necessary, to the Suddur Foujdaree Adawlut for revised decision under Section XXIX Clause 4th: he shall also inspect the whole proceedings and arrangements of the said departments, and notice any infringement or injudicious application of the law, or remissness in duty, by writing his sentiments to the officer concerned (who shall duly attend thereto) or to the Suddur Foujdaree Adawlut, or both, as the case may require.

to visit the jails,

Clause 3*d.*—The Judge on Circuit shall visit the civil and criminal jails for the purposes mentioned in the preceding Clause:

and rectify the practice of the Civil Court,

Clause 4*th.*—He shall also be empowered to inquire into, and notice, as above described, arrangements and forms of procedure which relate to the Civil Court of the zilla.

Clause

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Clause 5th.—He shall receive and attend to all complaints and representations connected with the administration of Criminal Justice and Police, or the general welfare of the district.

to receive and attend to all complaints on criminal matters, and generally, of importance.

SECTION XVII.—*Clause 1st.*—If it shall appear that the Criminal Judge or Zilla Magistrate, or any officer subordinate to either of them, has failed to take due cognizance of any matter brought before him, the Judge on Circuit shall have authority to cause the same to be done, and, if deemed expedient, a return to be made specifying the mode in which it is performed, by written order addressed to the head of the respective department.

The Judge on Circuit may direct a Magistrate or Criminal Judge to inquire into any matter and certify his proceedings in consequence:

Clause 2d.—The Judge on Circuit shall have authority to reduce the amount of any penalty or security bond taken or demanded in the criminal or police department, or to annul the same altogether; his order being issued in writing to the head of the respective department.

he may also reduce or annul penalty bonds:

Clause 3d.—In all matters not expressly placed at the discretion of the Judge on Circuit by enactment, wherein he may recommend in writing a deviation from the practice or proceeding adopted, the Criminal Judge and Zilla Magistrate may either comply therewith without incurring responsibility, or, if they see objections, may state them in writing to the Judge on Circuit, and request him to refer the matter for decision to the Court of Suddur Foujdaree Adawlut, which the Judge on Circuit, if he is not convinced by the objections, shall accordingly do.

orders by a Judge on Circuit may be obeyed without responsibility,

but on request made to the Judge on Circuit a reference may be obtained to the Suddur Adawlut.

SECTION XVIII.—*Clause 1st.*—When a prisoner is committed to be tried at the sessions, the Criminal Judge shall inform him thereof, stating at the same time to the prisoner the precise act for which he is committed, as well as the manner how, and the time at which it is alleged to have been perpetrated, all which shall be recorded fully on the proceedings.

A prisoner committed for trial before the Court of Circuit to be duly apprized of the charge against him, with all details which shall be recorded:

Clause

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the prisoner's evidence shall be asked for at the commitment, and at any other suitable time, and held in readiness.

Clause 2d.—The Criminal Judge shall be careful to ascertain from the prisoner what evidence he may desire to adduce on his defence, and to hold it in readiness; this inquiry shall be made at the time of commitment, as well as at any subsequent time, when it may seem conducive to completeness in the investigation, and it shall be recorded with its result on the proceedings.

The Judge on Circuit to give at least fifteen days' previous notice of the Sessions,

and proclamations to be made,

SECTION XIX.—*Clause 1st.*—The Judge on Circuit shall give at least fifteen (15) days' notice to the Criminal Judge of the time when the sessions is to commence; on receipt of which the Criminal Judge shall acquaint the Zilla Magistrate, and these officers shall cause a proclamation in the form of Appendix E to be made in the districts under their respective charge, and report in writing to the Judge on Circuit, when he arrives, the execution of this duty, with the places at which it was performed.

The Criminal Judge to deliver to the Judge on Circuit

Clause 2d.—The Criminal Judge shall deliver to the Judge on Circuit at the commencement of the sessions the following documents:

the cases for trial,

The cases for trial, comprising all details:

a calendar of persons for trial,

A calendar of persons committed, or held to bail, according to the form of Appendix F:

additional calendars,

If additional cases should occur for trial during the sessions, they shall be in like manner delivered, the requisite matters being entered in a supplemental calendar, or so many as may be convenient; which shall be distinguished by numbers:

translations of proceedings in each case,

A translation into English of the Criminal Judge's proceedings in each case, and with it shall be delivered every exhibit made or produced before him, which contains evidence relevant to the case:

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A calendar of such persons, as having been bound over or enjoined to appear at the sessions may nevertheless not be in attendance; it shall be in the form of Appendix G, and shall be accompanied by an extract (translated into the English language) from the Criminal Judge's proceedings in the case of each such person, shewing how and why he was so bound or enjoined, and any measures that may have been taken to insure his attendance.

calendar of persons not appearing though bound to do so,

with translated extracts from the records:

Clause 3d.—The Criminal Judge and Zilla Magistrate shall make up the periodical reports, which are required for transmission to the Suddur Foujdaree Adawlut, to the period at which the sessions is to commence; and hold them in readiness for the inspection of the Judge on Circuit, whenever he may desire it; they shall also submit to his inspection or furnish him with copies of whatever part of their records he may require.

periodical reports of the Criminal Judge and Magistrate to be made up for inspection by the Judge on Circuit,

and copies of any part of their records to be furnished.

Clause 4th.—The Criminal Judge shall hold in attendance at the sessions all parties and witnesses concerned in the cases to be tried according to the rules contained in the Regulations, and he shall, if required, furnish the Court of Circuit with a translation in the English language of any document on his records.

The Criminal Judge to hold in attendance all parties and witnesses,

and to furnish a translation of any document.

SECTION XX.—*Clause 1st.*—The Court of Circuit, when sitting at the Suddur station of any zilla, shall be held in the Zilla Court-room; when sitting in any other part of the zilla, it shall be held as arranged under the directions of Government for the occasion; in either case the Criminal Judge shall execute the requisite measures for the convenience and accommodation of the Court and despatch of business.

The Court to be held in the Zilla Court Room,

or elsewhere, under specific arrangement and the directions of the Criminal Judge.

Clause 2d.—Beside the authority conferred in Section XI to punish contempts of Court, the Judge on Circuit may in such cases cause the Criminal Judge (by written order) to enforce the

Enlarged authority of the Court of Circuit to punish contempts.

the infliction of corporal punishment, not exceeding twenty-five (25) stripes, on the offender.

to enforce penalties,

Clause 3d.—In the case of a person bound or enjoined to appear at the sessions being absent, the enforcement, either wholly or in part, of any penalty or punishment to which he or his sureties may thereby be liable, shall be at the discretion of the Judge on Circuit, as well as the measures to be subsequently taken; also, the Judge on Circuit shall be empowered to direct security to be taken for any prisoner's good behaviour, all which shall be executed by the Criminal Judge, according to the written order of the Judge on Circuit.

and order security to be taken.

by written injunction,

as well as to procure evidence,

Clause 4th.—If the Judge on Circuit requires any additional evidence to be adduced in a case before him, or matter which he is desirous to investigate, or any alteration in the forms or arrangements of the business of the sessions, he shall procure it by a written order on the Criminal Judge.

or alteration in the arrangement for dispatch of business.

The rules for trial are as in Chapter VI, with a few exceptions,

SECTION XXI.—*Clause 1st.*—The forms of conducting and recording trials by the Court of Circuit shall be the same as prescribed in Chapter VI of this Regulation for Criminal Courts in general, with the following exceptions:

minutes of proceedings on the records are in English.

Minutes of proceedings, corresponding as nearly as may be found convenient with the record prescribed to be kept by the Criminal Judge in Section XIV, shall be kept by the Judge on Circuit in the English language:

Prisoners' statements are entered on the record:

Pleas, confessions, and defences, and generally all assertions made by prisoners on trial, require to be recorded no otherwise than by the Judge duly entering them in his record of proceedings:

when the charge is incorrect the

If it should appear during a trial, that the charge with which

it

it commenced is not applicable to the case, the Judge on Circuit shall be empowered to direct the Criminal Judge, by a written order, to commit the prisoner on any charge which he may deem expedient.

prisoner to be remanded to the Criminal Judge, that it may be amended.

Clause 2d.—With reference to Clause 3d of Section XXXVIII it is to be understood that it is not incumbent on the Court to wait for evidence which the prisoner has omitted to mention before the Criminal Judge, unless the prisoner can satisfactorily explain the omission.

Prisoners' evidence not before named need not be waited for if the omission is not explained.

Clause 3d.—The Judge on Circuit shall pass sentence on each prisoner convicted, to the extent prescribed in the Regulations; but, if the punishment be death, transportation, or imprisonment for life, it shall not be executed until confirmed by the Court of Suddur Foujdaree Adawlut: sentences which do not include any of the just specified punishments shall be notified to the Criminal Judge by warrants in the form of Appendix H, and immediately executed; those which require to be confirmed by the Suddur Foujdaree Adawlut shall be so explained to the prisoners, and notified to the Criminal Judge by warrants in the form of Appendix I, according to the tenor of which, the Criminal Judge will keep the prisoners in custody until receiving the final warrant.

Sentences passed by the Judge on Circuit to be communicated by warrant to the Criminal Judge and immediately executed, except in cases of death, transportation or perpetual imprisonment, when confirmation by the Suddur Adawlut is required.

Clause 4th.—If a prisoner be convicted in more cases than one at the same sessions, the sentences may be combined in one warrant.

Sentences on the same prisoner may be combined:

SECTION XXII.—*Clause 1st.*—The trial of a case, or of any particular prisoner in a case, may be postponed to the next sessions, by written order to the Criminal Judge, if circumstances material to the decision should require delay. A second similar postponement may be made for the same reason, but decision shall not be further protracted.

a trial may be postponed

twice,

but not longer delayed,

Clause

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and peculiar cases may be referred to the Suddur Foujdaree Adawlut.

Clause 2*d.*—If the Judge on Circuit meet with a case, which, from doubt in the application of law, or other sufficient cause, he may consider expedient to be decided by the Court of Suddur Foujdaree Adawlut, it shall be competent to him after completing the trial to refer it accordingly without passing sentence; he shall apprize the prisoner of the reference, and notify it in writing to the Criminal Judge, who will keep the prisoner in custody until his disposal be ascertained by warrant or order from the Suddur Foujdaree Adawlut.

the records of all trials to be sent to the Suddur Foujdaree Adawlut,

SECTION XXIII.—*Clause* 1*st.*—The Judge on Circuit shall forward to be deposited with the records of the Suddur Foujdaree Adawlut his minutes of proceedings in all trials with the exhibits therein referred to, as well as all official documents furnished to him; the transmission shall be made so soon as he can dispense with the use of them.

Each case referred shall be accompanied by a letter:

Clause 2*d.*—Each case referred for confirmation or decision to the Suddur Foujdaree Adawlut shall be accompanied by a letter stating the same, and containing any remarks, explanation or opinion which the Judge may consider it expedient to introduce.

all other papers shall also be transmitted,

Clause 3*d.*—Official correspondence, copies of orders, petitions, and miscellaneous records shall be transmitted to the Suddur Foujdaree Adawlut as above described, unless their subject, by being referred to in the report described in the succeeding Clause, renders it convenient to forward them therewith.

and a full report in all matters of importance to the public welfare to be made.

Clause 4*th.*—At the expiration of each tour of circuit, the Judge shall forward to the Suddur Foujdaree Adawlut a report on the state of police in the several zillas, where he has held sessions, which shall contain such remarks as he may have to offer respecting the trials which he has conducted, the state

of

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of the Civil, Criminal, and Police establishment, and the condition and morals of the people; and it shall also convey any suggestions he may desire to offer, with a view to ameliorate their condition or habits, or promote in any way the public welfare.

CHAPTER IV.

OF THE DUTIES OF THE SPECIAL COURT.

SECTION XXIV.—*Clause* 1*st*.—The Special Court shall try persons charged with offences of a political nature as defined in Regulation XIV A. D. 1827 Chapter III:

The Special Court tries state offences:

Clause 2*d*.—The members shall assemble at the place directed by the Governor in Council, the Court shall be held in the Zilla Court room, or such other place as may be prepared by the Criminal Judge of the zilla, under instructions from Government, and shall continue assembled until dissolved by order from Government:

to assemble where directed by Government,

and continue assembled until dissolved by the same authority:

Clause 3*d*.—In case of difference of opinion the decision shall be regulated by the majority, but the dissentient member shall be entitled to enter a minute of his sentiments in the proceedings:

the majority decides, but the dissentient member may record his opinion:

Clause 4*th*.—If any one of the members should be prevented by death, or other cause, from attending (after the Court has been completed) the other two shall be competent to conduct the business in all points on which they agree, without waiting for the vacancy to be filled up, but the Court shall immediately report the vacancy to the Governor in Council.

if one member is absent two concurring may proceed,

reporting the vacancy.

SECTION XXV.—*Clause* 1*st*.—The custody of prisoners, attendance of witnesses, and production of evidence, shall be provided for by the Criminal Judge in the same manner as for Courts of Circuit, and returns corresponding with those specified

The Criminal Judge assists the Special Court as he would the Court of Circuit.

fied in Clause 2d Section XIX of this Regulation shall also be furnished by the Criminal Judge.

Proceedings in certain points the same as those of the Court of Circuit.

Clause 2d.—The provisions for procedure enacted for the Court of Circuit in the 3d and 4th Clauses of Section XX, and the 1st and 2d Clauses of Section XXI, shall be applicable to the Special Court.

If the prisoner is found guilty, the Court, after deciding on a sentence, reports the case in full to Government,

SECTION XXVI.—*Clause 1st.*—If a prisoner be found guilty, the Court shall decide on such sentence as may be prescribed by the Regulations, and forward to the Governor in Council the whole of its proceedings in each case, with translations into English of every exhibit which may have been used as evidence.

by whom such sentence as is deemed fit is confirmed, and thereafter passed,

Clause 2d.—The Governor in Council shall thereupon confirm, mitigate, or annul the sentence, as shall appear to him fit, and communicate the same to the Special Court, which shall then pass sentence accordingly in open Court, and (if punishment be finally adjudged) shall issue a warrant for execution thereof to the Criminal Judge in the form of Appendix J, and the warrant shall thereafter be executed in the same manner as if issued by a Court of Circuit:

and if requisite a warrant issued to the Criminal Judge.

If the prisoner is acquitted the proceedings are reported and further instructions awaited.

Clause 3d.—If a prisoner be acquitted, the Court shall forward its proceedings, as directed in the 1st Clause of this Section, and proceed to other business, or break up, as instructed.

CHAPTER V.

OF THE DUTIES OF THE COURT OF SUDDUR FOUJDAREE ADAWLUT.

The Suddur Adawlut superintends Criminal Justice and police,

SECTION XXVII.—*Clause 1st.*—The Court of Suddur Foujdaree Adawlut shall superintend the administration of Criminal Justice and Police, with a view to maintain correct application of the laws and orders issued on those subjects:

revises trials and conducts investigations.

Clause 2d.—It shall revise trials and investigate matters referred

ferred to it according to the Regulations, and pass final sentence or order thereon:

Clause 3d.—It shall observe and bring to the notice of Government defects in the laws, and methods of improving them:

observes and reports defects in the laws and their remedies:

Clause 4th.—It shall furnish information to Government of the state of Police and Criminal Justice in each zilla, of offences from their prevalence or atrocity requiring particular notice, the increase or decrease of crime, and the causes of either fact, the state of the jails, and the efficiency and activity of the official establishments: it shall also keep Government acquainted with the effects produced by the law, the condition of the people, and generally all matters concerning the public welfare.

describes the state of police and criminal justice,

increase or decrease of crime:
the Jails:
Judicial establishment:
the effects of the law, and the general condition of the people.

SECTION XXVIII.—*Clause 1st.*—Two Judges shall constitute a Court, but, if they differ in opinion, the matter shall be deferred, until it can be brought before a Court composed of a greater number of Judges:

Two Judges are a Court, but if they differ a third must attend:

Clause 2d.—If more than two Judges are present, decisions shall be made according to the opinion of the majority, but, if the opinions are equally divided, the Senior Judge shall have the casting vote.

the majority decides, and in case of equality the Senior has a casting vote:

Clause 3d.—A Puisne Judge, who may have referred any matter while on Circuit to the Court, is not to be thereby precluded from voting, if he be present, and, if not present, any sentence that he may have passed, or opinion that he may have recorded, is to be taken as a vote; which, in the case supposed in Clause 1st of this Section, shall be sufficient to determine the majority without deferring the question, and in the case supposed in Clause 2d, shall be sufficient to determine either a majority or equality, as if the said Puisne Judge were present.

the Judge of Circuit's opinion is however a vote,

Clause

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and a single Judge may act ministerially.

Clause 4th.—A single Judge shall be competent to administer oaths, record petitions, or perform any act which does not involve deliberation, nor amount to passing any discretionary order or decision.

The Suddur Adawlut may call for any document from a Criminal Judge or Magistrate,

a Copy being substituted on the records:

SECTION XXIX.—*Clause 1st.*—The Court of Suddur Foujdaree Adawlut shall have authority to call for any record, or a copy of it, from the Criminal Judge's or Zilla Magistrate's department, and, if an original paper be required, a copy thereof shall be substituted in the office from whence the original is furnished, with an endorsement referring to the order of the Suddur Foujdaree Adawlut.

also for reports with the sanction of Government if periodically required:

Clause 2d.—The Court shall have authority to call for returns from the Criminal Judge's and Zilla Magistrate's Departments, on any subjects respecting which it may desire information, but, if the said returns be required periodically, the sanction of Government shall be first obtained.

also for evidence, or,

the attendance of any person,

Clause 3d.—The Court shall have authority to cause the Criminal Judges or Zilla Magistrates to take such evidence, or make such inquiries on any subject before it, as may be desired, and to serve and enforce any summons (which shall be in the form of Appendix K) which it may issue for the attendance before the Court of any person, to give evidence in a matter within its cognizance, as well as to fix within the limits specified in Section XXXIV Clause 1st the penalties for default of attendance, and cause them to be levied.

fixing the penalties for failure and causing them to be enforced:

it may also mitigate or annul any sentence or order of a Criminal Judge or Magistrate:

also any penalty bond so imposed,

Clause 4th.—The Court shall have authority to mitigate or annul, but not to commute any sentence or order passed in the Criminal Judge's or Zilla Magistrate's department, and to remit or mitigate any penalty incurred or demanded in those departments, of the nature of bail, recognizance, or security, in which cases the order of the Court shall be communicated by a precept

a precept under the seal of the Court, and signature of the Register, and shall be returned when executed with an endorsement certifying the same, a copy being kept in the respective department:

precept being duly issued and a return made:

Clause 5th.—The Court shall have authority to cause the Criminal Judges and Zilla Magistrates to take cognizance of any matter, or to demand any bail, recognizance, or security, according to the Regulations:

the Court may also cause an investigation to be instituted, a penalty bond to be passed:

Clause 6th.—The Court shall have authority to cause the Criminal Judge of the Zilla in which it is stationed to execute any punishment it may award for contempt of Court, under the provisions of Section XI, or to hold in custody any person who may have become liable to confinement in the course of any proceeding:

sentences and orders of the Court in contempts and other matters to be executed:

Clause 7th.—The Court shall also be empowered to notice deviations from the Regulations, or from instructions issued in conformity thereto, or negligence, or impropriety in the discharge of official duties committed by any officer in the Criminal Judge's or Zilla Magistrate's department, and to express its sentiments on the subject to the head of the department, or, through his medium, to any subordinate officer; and, if any officer in the said departments should wilfully disobey an order issued in conformity with the Regulations by the Court of Suddur Foujdaree Adawlut, the said Court shall represent the same to Government.

all irregularities and improprieties may further be noticed by the Court,

and disobedience of its orders is to be reported to Government.

SECTION XXX.—*Clause 1st.*—The Court of Suddur Foujdaree Adawlut shall be authorized to delegate the investigation of any matter within its cognizance to a Judge on Circuit, to depute him to take any specified evidence, to issue instructions at his discretion to a Criminal Judge or Zilla Magistrate, respecting ulterior procedure in any matter within the said Court's cognizance, or to pass a decision on any such matter, the same not exceeding the ordinary jurisdiction of a Court of Circuit:

The Court may entrust an investigation to the Judge on Circuit,

Clause

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and appoint extra terms and sessions,

Clause 2d.—When the Court shall deem it expedient that an extra sessions at any zilla shall be held, it shall forthwith report its opinion, and the grounds of it, to the Governor in Council, and shall issue instructions to the respective Criminal Judges to make the requisite preparations:

obtaining the consent of Government in certain cases.

Clause 3d.—When the Court deems it expedient that a Court of Circuit shall sit elsewhere than at the Suddur station of any zilla, the consent of Government shall be obtained previously to issuing instructions to the Criminal Judge, and the application shall state, what preparations for the accommodation of the Court and despatch of business are required, which shall be conducted by the Criminal Judge according to the sanction of Government, and an authenticated copy of any communication on the subject addressed by Government to the Court of Suddur Foujdaree Adawlut shall be a sufficient voucher to any officer concerned therein.

One session may be dispensed with if there is no case for trial.

Clause 4th.—If, at the usual period of Circuit, there be no case ready for trial at any particular zilla, it shall be at the discretion of the Court of Suddur Foujdaree Adawlut to dispense with the Judge on Circuit visiting that zilla; but, if this should again occur at the next period of Circuit, the zilla shall be visited as usual.

The Court may review all proceedings of Courts of Circuit: some cannot be altered, others may be altered by Government, and others by the Court.

Clause 5th.—The Court of Suddur Foujdaree Adawlut shall have authority to examine and conduct investigations on all orders whatever passed by a Judge on Circuit, the records of the Court of Circuit placed at its disposal, under Clause 1st of Section XXIII, being hereby declared at all times open to its inspection and use equally with its own: of the said orders, rewards conferred by Regulation XII of 1827 Sections XXXII and XXXIII, and pardons directed to be offered by virtue of Clause 2d of Section XXXIV of the same Regulation, shall remain undisturbed, sentences for contempt of Court, passed under Section XI or the 2d Clause of Section XX,

XX, and sentences passed without reference to the Suddur Foujdaree Adawlut according to Clause 3d of Section XXI, may be annulled or mitigated by the Governor in Council, to whom the Suddur Foujdaree Adawlut may under the following Section recommend such proceeding, and all other of the said orders may be annulled or mitigated by the Suddur Foujdaree Adawlut at its discretion.

The Court may recommend to Government to annul or mitigate final sentences.

SECTION XXXI.—*Clause* 1*st*.—When the Court of Suddur Foujdaree Adawlut shall consider any sentence, which the Court cannot annul or alter, to require to be mitigated or annulled, whether as an act of mercy or justice, it shall represent the case with all particulars to the Governor in Council, specifying its opinion as to whether the punishment should be remitted wholly or in part, and it shall have authority to suspend, as may be practicable, the execution of such sentence by written order to the officer in whose custody the prisoner may be, until the final decision of Government be made known:

and Government may mitigate or annul all sentences,

Clause 2*d*.—In the event of such recommendation, the Governor in Council, reserving to himself the full power of granting pardons, or mitigating sentences, but not of commuting them otherwise than by substituting imprisonment or transportation for death, will furnish the requisite directions to the Court of Suddur Foujdaree Adawlut, which shall forthwith issue a warrant for execution thereof:

with or without such recommendation.

Clause 3*d*.—The Governor in Council also reserves to himself full power to grant indemnities, pardons, or mitigations as described in the preceding Clause, in all cases whatever wherein he may deem it expedient, execution whereof shall be done through the medium of the Suddur Foujdaree Adawlut, as therein directed.

The Court to keep Minute Books

SECTION XXXII.—*Clause* 1*st*.—The Court of Suddur Foujdaree Adawlut shall keep records of its proceedings in the same forms as are prescribed for the Criminal Judge in Section XIV,

separate for each Zilla.

a separate minute book being kept for the business relating to each zilla.

Warrants for execution of sentences, and notifications of pardons, how issued.

Clause 2d.—Warrants issued by the Suddur Foujdaree Adawlut for the execution of sentences passed by the said Court, or in the event of pardon or mitigation of punishment granted by the Governor in Council, shall be respectively in the forms contained in Appendix L, and, when a prisoner is acquitted by the Suddur Foujdaree Adawlut, the same shall be notified by a precept directed to the Criminal Judge, under the seal of the Court and signature of the Register.

The Court to furnish Government with all information required:

SECTION XXXIII.—*Clause 1st.*—The Court of Suddur Foujdaree Adawlut shall furnish to the Governor in Council, as directed, returns and information on any subject within its cognizance; also copies of its proceedings, or any documents on its records:

also periodical returns,

Clause 2d.—It shall also forward to the Governor in Council such periodical returns, relating to the business transacted by it or by any subordinate Court, as may be directed by the said authority:

and general reports.

Clause 3d.—There shall also be forwarded with the returns described in the preceding Clause a report analogous to that prescribed to be made by each Judge on Circuit in Clause 4th of Section XXIII, which shall further specify the period employed in each of the Circuits, with the nature and extent of any injury that may appear to have been occasioned by the detention of persons as witnesses at the Suddur stations.

CHAPTER VI.

RULES FOR PROCURING, TAKING, AND RECORDING EVIDENCE, AND FOR THE CONDUCT OF TRIALS BY CRIMINAL COURTS.

Attendance of witnesses, and production of articles procured by summons.

SECTION XXXIV.—*Clause 1st.*—When any Criminal Court, except the Suddur Foujdaree Adawlut, for which a particular mode is enacted, requires any person to give oral testimony or produce

produce any article in his possession as evidence, it shall issue a summons under its seal and signature containing the name of the said person, the purpose for which his attendance is required, and the time and place at which he is to attend; if immediate attendance be not enjoined, the summons shall also specify, if the measure be thought requisite, that the witness must pass a recognizance or security for his appearance, in default of furnishing which he shall be brought before the Court, which will either bind him over as just stated, or keep him in custody, if it appear necessary; the amount to be inserted in the recognizance or security bond shall be stated in the summons, as well as a period of imprisonment in commutation, which shall in no case exceed two (2) years, and the bonds shall be in the form of Appendixes M and N respectively:

with recognizance or Security if required,

Clause 2d.—If the witness is to be found within the jurisdiction of the Court, an order shall be written on the summons addressed to the Nazir, or any other officer of the Court, to serve and execute it (which, if necessary, may be done by force) and a written return shall be endorsed thereon by the officer, shewing how the summons was executed, or why it was not: but, if the witness is not to be found within the jurisdiction, the Court shall forward the summons to the Magistrate in whose jurisdiction he may be, with a letter explaining the exigency of the case, and pointing out where the witness is to be found, and the said Magistrate shall proceed to execute it, and endorse the result, as above directed to be done by the officer of the Court: in either case the summons shall be returned to the Court by the period specified in it, whether executed or not:

to be executed by the Nazir,

or if the individual be in another jurisdiction, forwarded to the proper Magistrate,

who will take proper measures to make a fit return,

Clause 3d.—A Magistrate, to whom a summons has been forwarded for execution, may, if he see sufficient cause, either reduce or increase the amount of penalty or period of imprisonment stated in the summons, specifying his reasons for the same in his return, and it shall be competent to a Court, or to the Magistrate

altering penalties if he sees cause,

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and penalties in certain cases are not required.

Magistrate above-mentioned, when the attendance of a public officer in permanent official employ, or of an individual of known respectability and prudent demeanour, is required, to notify the same to him by written order or letter, and take no other security, than his returning the same with an endorsement, signifying his acquiescence:

a witness in Court may be at once examined,

Clause 4th.—If a witness should happen to be in Court during a trial without having been previously summoned, he may forthwith be put on his examination:

and an accomplice may be admitted by the Court as a witness.

Clause 5th.—In case of its being expedient to admit the evidence of an accomplice, the Court shall be authorized to grant the same conditions as are placed at the discretion of a Magistrate in Regulation XII A. D. 1827 Section XXXIV:

Witnesses who cannot appear in open Court may be examined apart.

Clause 6th.—In the event of illness rendering it dangerous for a witness to be brought into Court, or personal considerations rendering it disreputable for a female to appear there, the Court may commission any trust-worthy person to take the evidence at the witness's residence; but in the latter case the Court may always require the attendance of the witness in Court for sufficient reason, due care being taken to provide screens, or such other mode of concealment as is necessary to prevent her being publicly seen: the Court may also, at its discretion, dispense with the attendance in Court of a man of rank, and may cause his evidence to be otherwise taken:

The deposition of a person since dead is valid, but

subject to reasonable deduction.

Clause 7th.—A deposition made before a competent authority by a witness who may have died before the final trial takes place, shall be considered valid at such trial, though liable to such deduction from the weight which it would otherwise be held to possess, as the impossibility of further questioning him may suggest.

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Clause 8th.—Penalties incurred by the non-appearance of witnesses shall be levied and executed by order of the Court before which the case is ultimately tried, which shall always have authority to mitigate them.

Penalties for non-appearance leviable at discretion by the trying Court.

Clause 9th.—A witness, who may be obliged to leave his home, shall be entitled to an allowance for subsistence, while so detained, not exceeding a quarter of a rupee per day, which shall be paid by the Collector to the order of the Court.

Subsistence allowed to witnesses detained from their homes.

SECTION XXXV.—*Clause 1st.*—The competency of witnesses shall be determined according to the rules on that subject laid down on Regulation IV A. D. 1827 Section XXXIII.

The competency of witnesses the same as in Civil suits:

Clause 2d.—Oral testimony shall be committed to writing as prescribed in the succeeding section, and, if any irrational animal or inanimate object is produced in elucidation of the case, the same shall be carefully identified, and the connexion, which it bears to the subject of investigation, shall be shown in the recorded testimony, or in the minutes of the authority before whom it was produced.

oral testimony to be committed to writing, and animals and articles produced to be duly identified and indicated.

SECTION XXXVI.—*Clause 1st.*—Every deposition shall contain, so far as can be ascertained, the following particulars; the name of the deponent; if a male, or unmarried female, the name of the deponent's father; if a married female, that of her husband; also the deponent's age, religion, sect, and profession:

Details required in a deposition:

name,

age, religion, sect and profession:

It shall be optional with the Court to record the statement in the form of questions and answers, or, as a continued relation, but leading questions suggesting any particular answer shall be carefully avoided:

the form of narrative or conversation may be used: leading questions prohibited,

The deposition shall further specify whether the deponent is speaking on oath or otherwise: it shall be signed by the deponent,

oath or declaration inserted: deponent's signature and

and

attestation of the Court:

and authenticated, as sworn to or declared, and also dated, by the Court:

oath to be administered at discretion:

Clause 2d.—Such oath to speak the truth as may be considered binding on the deponent's conscience, shall be administered previous to taking the deposition, unless, for reasons to be entered on the record of proceedings, it should be deemed expedient to dispense with it; and in either case, the witness shall be admonished as follows: "*Be careful that you tell to the Court the whole truth, and nothing but the truth, in the matter on which you are now to be examined, or otherwise you will be liable to punishment as a false witness:*"

admonition to tell the truth:

deposition to be read to the deponent, whose suggested alterations will be made,

with exceptions:

Clause 3d.—Every deposition shall be read over to the witness previously to his signing it, and if he desire to alter any part thereof, the alteration desired shall be made, if it appear to the Court to be consistent with his original meaning and intention; otherwise, the Court shall authenticate the deposition as first written, without taking the witness's signature, and proceed to take anew such deposition as the witness may desire, all which process shall be entered on the record of proceedings:

contumacious refusal to give evidence punishable by the Court.

Clause 4th.—A witness shall not be required to state any matter, or produce any article criminatory of himself: if (with this exception) he refuse to make answer, or to conform to any rules respecting evidence, the Court shall commit him to be confined until he comply, and he shall also be liable to punishment for contempt of Court according to Section XI.

Prisoners' statements recorded as depositions, but not upon oath or compulsion.

SECTION XXXVII.—*Clause 1st.*—Statements made by prisoners, whether confessions, denials, or defences, shall be recorded in the same way as depositions, except in respect to oaths or declarations: if a prisoner refuse to affix his signature, or make answer, no methods of compulsion shall be resorted to, but the fact shall be so recorded on the proceedings, and every confession

confession made by a prisoner in a case, which is to be tried by a different Court from that in which it is made, shall be authenticated by the certification and signature of two competent persons present, who shall be held in attendance at the final trial.

and if not made before the trying Court to be duly witnessed:

Clause 2d.—A prisoner's confession made before the Court in which he is tried shall be sufficient proof for conviction, provided that on having the evidence in the case (or such part of it taken before any competent authority as, if admitted to be true, would prove the charge) read over to him, he confirm the confession; but, if a prisoner's statement contain a confession of the charge against him jointly with exculpatory circumstances, the one shall not be acted on without the other, and confessions made before any authority different from that by which the trial is held, or before any individual, shall be deemed of weight according to the degree of corroboration they may receive before the Court.

confession before the trying Court suffices for conviction,

but must be taken strictly as a whole,

and if made before any other authority will be estimated by the Court:

SECTION XXXVIII.—*Clause 1st.*—A prisoner shall be allowed to employ whomsoever he can procure as counsel, or pleader, on his behalf, but the prisoner's presence shall not thereby be dispensed with, nor shall the Court receive any pleading or assertion, except confirmed by the prisoner himself, nor record it otherwise than as made by himself:

the prisoner may employ a pleader,

but when addressed by the Court must answer for himself:

Clause 2d.—Evidence shall always be taken in presence of the prisoner, and if, from ignorance of the language in which it is given, or other cause, he has difficulty in understanding it, full explanation shall be given, and the privilege of examining witnesses shall also be open to him in its fullest extent:

all evidence to be delivered in the prisoner's presence, and explained to him if necessary,

and he may also cross examine witnesses,

Clause 3d.—The prisoner shall always be called on for his defence, after the evidence for the prosecution has been completed, and any evidence, which he may point out for that purpose,

make his defence, and adduce evidence, reasonable time being allowed.

purpose shall be procured by the Court, and a reasonable period of time allowed:

the charge shall be distinctly stated at the commencement,

Clause 4th.—The charge on which a prisoner is tried shall be distinctly stated to him, at the commencement of the trial; and he shall be furnished with any information he may desire at any time during the same from the records of the Court; and

and if altered in a case before the Criminal Judge, the prisoner shall be informed:

if it shall appear during a trial conducted before a Criminal Judge, that the charge, with which it commenced, is not applicable to the case, a correct charge shall be framed, and stated anew to the prisoner for his information as to the object of investigation:

the Court may be assisted by respectable natives as in the trial of Civil suits:

Clause 5th.—The provisions of Regulation IV A. D. 1827 Section XXIV, for enabling Courts of Civil Justice in which Europeans preside to avail themselves of the assistance of respectable natives in the trial of suits, by employing them as members of a punchaet, or as assessors, or more nearly as a jury, the decision, however, being in all cases vested in the authority presiding in the Court, are applicable to Courts of Criminal Justice:

the law officer's opinion as to the punishment to be taken, but only when so enacted to be followed as the rule:

Clause 6th.—When a prisoner is found guilty, the case shall be stated in writing to the proper law officer, who shall give a written answer specifying the punishment which by the law of his faith is awarded to the offence proved: if the punishment should include mutilation, a term of imprisonment in commutation shall also be inserted at the rate of seven (7) years for the loss of a limb or feature, and the document shall be entered on the proceedings as a record of the exposition of the law officer, but not (unless when so prescribed by enactment) for the purpose of directing the Court's judgment, which shall be according to the Regulations:

sentences

Clause 7th.—All sentences shall be declared to the respective convicts

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convicts in open Court; and every prisoner, after being sentenced, shall be entitled to be furnished with a copy (authenticated by the Court) of the sentence, or of any document recorded as evidence on the trial:

shall be passed in open Court and recorded, and the prisoner may have a copy,

Clause 8th.—A prisoner shall at any time during a trial be entitled to the benefit of putting in bail, instead of being committed to prison, when the same is consistent with the rules on that subject in Regulation XII A. D. 1827, or in any other part of the code, and the conditions thereof shall be regulated by the Court in the manner prescribed for Magistrates.

and is also entitled to demand bail as permitted by law.

SECTION XXXIX.—If a deposition, statement, or confession made before any police authority be forwarded as evidence in the case to another authority, it shall, if confirmed by the declarant before the latter authority, which shall duly authenticate such confirmation, be a sufficient exhibit, except in trials before a Court of Circuit, wherein every oral declaration shall be recorded afresh direct from the declarant.

Documents framed in preparatory investigations are sufficient exhibits in all trying Courts, except the Court of Circuit.

SECTION XL.—Nothing contained in this Chapter shall preclude a Court from procuring information otherwise than as therein described (the same not being allowed to operate towards conviction) for the purpose of discovering other evidence, which may be admissible in due form.

Informal intelligence may be procured, but shall not operate as evidence.

SECTION XLI.—Previously to setting a prisoner at liberty, whether he have been acquitted or committed, it shall be competent to the Court to forward the prisoner to the custody of the Magistrate of the respective Zilla, or that in which the prisoner usually resides, with a copy of such proceedings and evidence, as tend to prove the expediency of adopting precautionary measures for his future conduct, in which case the Magistrate shall act according to his judgment.

A prisoner set at liberty may be delivered over to the Magistrate with all information for precautionary purposes.

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CHAPTER VII.

OF THE JAIL, AND OF THE CUSTODY AND TREATMENT OF PRISONERS.

The jail to be under the Criminal Judge, and the Nazir and jailer to govern it as he directs:

SECTION XLII.—The criminal jail of each zilla shall be placed under charge of the Criminal Judge, and the jailer shall, under the immediate superintendence of the Nazir, maintain strict adherence to the rules and precautions enacted, or pointed out by the Criminal Judge:

the Civil Surgeon attends the prisoners,

Clause 2d.—The Civil Surgeon of the station shall attend the jail, and administer remedies to the sick:

who receive, at the expence of Government,

Clause 3d—All persons confined in the criminal jail shall be subsisted at the expence of Government; the allowance shall be regulated by the Criminal Judge, according to the prisoner's previous habits, but shall in no case exceed a quarter of a rupee daily, and it shall not be made in money, but food, unless the Criminal Judge see good reason for allowing as an indulgence a small portion to be given in cash:

an allowance of food, and in some cases some money:

also clothing and other indispensable articles:

Clause 4th.—Such clothing and other articles as are absolutely necessary shall also be furnished, at the expence of Government, according to the directions of the Criminal Judge:

The Criminal Judge to forward prisoners' petitions made to the Suddur Adawlut, and to visit the jail once a month to redress grievances and maintain proper management.

Clause 5th.—The Criminal Judge shall forward to the Sudder Foujdaree Adawlut the petitions of prisoners to that Court: he shall also at least once in each month visit the jail, or depute one of his Assistants on the duty, to redress grievances, to enforce attention to cleanliness, salubrity, and security, and to maintain a proper management in all respects.

Each prisoner is admitted into the jail under an order signed and sealed,

SECTION XLIII.—*Clause 1st.*—When any person is committed to confinement, a written order, under the seal of the Court, and signature of the Criminal Judge, or one of his Assistants,

tants, shall be issued to the Nazir; it shall mention the date of commitment, and whether the confinement is to continue until further orders, or for a specific period:

detailing any punishment or security directed, and the Nazir executes and makes returns,

Clause 2d.—If the prisoner is required to furnish security, or sentenced to undergo punishment, the same shall be detailed in the above mentioned order; and the Nazir shall cause it to be executed under the directions of the Criminal Judge, endorsing the time and mode of execution on the order:

reporting in like manner deaths and escapes:

Clause 3d.—If a prisoner die, make his escape, or be released in any manner which would not be shewn by the endorsement described in the preceding Clause, the Nazir shall certify the occurrence, and its date, in writing on the order:

after six months' confinement, a small sum may be given to a prisoner when released:

Clause 4th.—When a prisoner is released after having been confined six months or upwards, the Criminal Judge shall, if he sees sufficient reason, grant him a sum of money not exceeding one month's subsistence at the rate mentioned in the 3d Clause of the preceding Section.

separation and classification of prisoners in support of morality and healthiness,

SECTION XLIV.—*Clause 1st.*—Male prisoners shall be kept separate from the females, the sick from those in health, those untried from convicts, and accomplices admitted as witnesses from all others, as also criminals under sentence of death.

and as dictated by justice,

Clause 2d.—So far as the capacity of the jail will admit, separate apartments shall be allotted for the following descriptions of prisoners:

Those sentenced to punishment of a greater degree than zilla Magistrates are authorized to inflict:

Those committed to be tried by a Court of Circuit:

Those

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Those sentenced to punishment within the degree which zilla Magistrates are authorized to inflict:

Due regard shall also be paid in the subdivision of the above described classes to the relative atrocity of the crimes of the prisoners.

and humanity,

Clause 3d.—The Criminal Judge shall make his arrangements with all possible regard to religious prejudices, that the prisoners may not be subject to causes of excommunication or contamination; and he shall, by every means consistent with security, alleviate the confinement of such as are not convicts, and protect them from the necessity of associating with persons of vicious or degraded habits, and with this view he may for sufficient cause remove a prisoner to the Civil jail, if it can be done with due regard to safe custody.

convicts under heavy sentences to be secured with fetters &c.

and others in cases of necessity:

SECTION XLV.—*Clause 1st.*—Prisoners sentenced to hard labour, transportation, or death, shall be secured with fetters, which, as well as handcuffs or stocks, may be used to secure prisoners of any other description if necessary:

all convicts not expressly exempted may be employed in prison labour;

Clause 2d.—Any prisoner confined under a sentence which does not include hard labour may (unless it be expressly forbidden in the warrant) be employed in such manufacture or other occupation, as can be performed under shelter and does not require severe exertion, for a period not exceeding six hours each day:

resisting work may be punished;

Clause 3d.—If a prisoner should refuse to perform labour lawfully required, he may be compelled by the means authorized in the ensuing section, except that stripes shall only be employed in the case of a prisoner sentenced to hard labour.

the Criminal Judge may

SECTION XLVI.—*Clause 1st.*—The Criminal Judge shall

he

be attentive to prevent drunkenness, gaming, and immoral or disorderly conduct of any sort, within the jail: punish misconduct of prisoners,

Clause 2d.—For the above purpose, as well as to punish attempts at escape, he shall be authorized to inflict on prisoners misbehaving themselves punishment of the following nature: by flogging, solitary confinement 15 days, confinement in the stocks, privation.

Stripes:

Solitary confinement for a period not exceeding fifteen (15) days:

Reduced allowance of food or conjee diet:

Confinement in stocks.

APPENDIX A.

(See Section III *Clause 2d, and Section* IV *Clause 4th.)*

Form of oath to be taken by a Judge of the Suddur Foujdaree Adawlut, or of a Special Court.

I, A. B. solemnly swear that I will truly and faithfully execute the duties of { Judge of the Court of Suddur Foujdaree Adawlut, *or,* Judge of the Special Court to which I am appointed, that I will administer justice according to the Regulations in force, to the best of my ability, without fear, favour, or promise or hope of reward, that I will not receive, directly or indirectly, nor permit any person under my authority so to receive, any present, either in money or in any other mode, on account of any matter which is, or has been, or is to be investigated or decided by or brought before the said Court, or by, or before myself in any capacity, arising from my appointment in it, and that I will not derive any emolument from my office except as authorized by Government.

So help me God.

Date. Signature.

REGULATION XIII. A. D. 1827.

APPENDIX B.

(*See Section* III *Clause 2d, and Section* IV *Clause 4th, and Section* VI *Clause 1st.*)

Form of oath to be taken by a Register or Assistant Register to the Court of Suddur Foujdaree Adawlut, Special Court, or Court of Circuit.

I, A. B. { Register / *or*, / Assistant Register } { to the } { Suddur Foujdaree Adawlut, / Special Court now assembled, / Court of Circuit now sitting, }

solemnly swear that I will perform truly and faithfully the duties of the said office to the best of my ability; that I will not receive, directly or indirectly, any present in money, or in any other mode, on account of any matter which is, or has been or is to be investigated or brought before the said Court, and that I will not derive any emolument from my office, except as authorized by Government.

So help me God.

Date. Signature.

APPENDIX C.

(*See Section* VII *Clause 2d, and Section* VIII *Clause* 1*st.*)

Form of oath to be taken by a Criminal Judge or his Assistant.

I, A. B. appointed { Criminal Judge, ... / *or*, / Senior *or* 1st &c. Senior, / Junior *or* 1st &c. Junior, } { Assistant to the Criminal Judge } of

the Zilla of ——, solemnly swear that I will to the best of my ability preserve the peace at the suddur station of the said Zilla, and decide on the matters brought before me, and perform the functions of my office with impartiality and integrity according to the Regulations in force, and that I will not receive nor permit any person under my authority to receive, directly or indirectly, any present, either in money or in any other mode, in the execution or on account of any matter relating to the duties of my office; and that I will not derive any emolument from my office except as authorized by Government.

So help me God.

Date. Signature.

APPENDIX

A. D. 1827. REGULATION XIII.

APPENDIX D.

(See Section IX *Clause 1st.)*

List of days on which Courts are to be closed beside Sundays and local holidays.

New year's day, ... 1st January.
Good Friday,
Nativity of Christ, ... 25th December.
The King's Birth Day.

APPENDIX E.

(See Section XIX *Clause 1st.)*

Form of proclamation of the sessions.

Whereas information has been received from the Judge on Circuit announcing his intention of holding a Court of Session at (here insert the place where it is to be held) on or about (here insert the time both in the English Era, and that commonly used in the language of the proclamation) all persons bound or required to appear before the said Court are hereby informed thereof, and in default of attendance they will be liable to whatever penalty may attach to the omission:

And all persons desirous of making any representation to the Judge on Circuit respecting the administration of justice, or grievances incurred in it, are informed that their statements will be heard.

(Date.)

Signature of the Criminal Judge
or
Magistrate.

APPENDIX

APPENDIX F.

(*See Section* XIX *Clause 2d.*)

Form of Calendar of prisoners for trial at the Sessions.

Calendar of prisoners committed or held to bail for trial at the sessions at ———.

Dated (here insert the date on which the Calendar is delivered to the Judge on Circuit.)

Number of the case.	Name of the prisoner.	Description of any previous sentence which may still be in course of execution against the prisoner, and how far it has been executed. N. B. If there be no prisoner so situated this column may be dispensed with.	Abstract of the charge and date on which preferred.	Whether committed or held to bail and on what date.	Abstract of the grounds for subjecting the prisoner to trial.	Names of the witnesses for the prosecution.	Names of witnesses called by the prisoner.

APPENDIX G.

(*See Section* XIX *Clause 2d.*)

Form of Calendar of persons absent in breach of engagement.

Calendar of absent persons whose attendance has been required at the sessions, at ————————.

Date (Date of delivery)

Names of persons on bail for trial and number of the case in which each is concerned.	Names of witnesses and number of the case in which each is concerned.	Names of persons whose attendance may have been required, for purposes not included in the preceding columns, and abstract of the said purposes.	Abstract of the mode in which the absentee has been bound, or enjoined to appear.

REGULATION XIII. A. D. 1827.

APPENDIX H.

(See Section XXI *Clause 3d.)*

Form of Warrant for executing a sentence passed finally by a Court of Circuit.

Seal.

To (here insert the official direction of the Criminal Judge.)

Whereas at a Court of Circuit held at (here insert the name of the place and zilla) before (here insert the name of the Judge and his official designation in the Suddur Foujdaree Adawlut) the prisoner (here insert the name) has been tried on a charge (*or* charges) recorded in case (*or* cases) numbered (here insert the number or numbers) in the Calendar dated ——— and convicted of (here insert the conviction) and the said prisoner has therefore been sentenced to (here insert the sentence) you are hereby required to execute the said sentence according to the Regulations.

Signed,
(By the Judge on Circuit.)

(Here insert the date.)

A. D. 1827. REGULATION XIII.

APPENDIX I.

(See Section XXI Clause 3d.)

Form of warrant for keeping a prisoner in custody whilst a sentence passed by a Court of Circuit is referred to the Suddur Foujdaree Adawlut.

Seal.

To (here insert the official direction of the Criminal Judge.)

Whereas at a Court of Circuit held at (here insert the name of the place and zilla) before (here insert the name of the Judge and his official designation in the Suddur Foujdaree Adawlut) the prisoner (here insert the name) has been tried on charge (*or* charges) recorded in case (*or* cases) numbered (here insert the number *or* numbers) in the calendar dated —— and convicted of (here insert the conviction), and the said prisoner has therefore been sentenced to (here insert the sentence) which sentence however is subject to the final decision of the Court of Suddur Foujdaree Adawlut; you are hereby required to keep the said prisoner in custody until you receive final instructions from the said Court.

Signed

(Here insert the date.) (By the Judge on Circuit.)

APPENDIX J.

(See Section XXVI Clause 2d.)

Form of warrant for executing a sentence passed by a Special Court.

To (here insert the official address of the Criminal Judge.)

Whereas at a Special Court assembled by order of the Governor in Council under date —— in the Zilla of —— the prisoner

soner —— has been tried on a charge of (here insert the charge) and found guilty of the same; and whereas, on the proceedings held at the said trial being laid before the Governor in Council, instructions were issued by that authority in { confirmation, / *or* / mitigation, } of the sentence awarded by the Court, and according thereto the said prisoner has been finally sentenced to (here insert the sentence,) you are hereby required to execute the said sentence according to the Regulations.

(Signed by the Members of the Court, with their respective official designations.)

(Insert the date of the sentence.)

APPENDIX K.

(See Section XXIX *Clause 3d.)*

Form of Summons to be used for procuring the attendance of a witness before the Suddur Foujdaree Adawlut.

Seal.

To (insert the name of the witness, and, so far as may be known or necessary to identify the person, the particulars prescribed in the first clause of Section XXXVI to be inserted in a deposition.)

Whereas your presence is required before the Court of Suddur Foujdaree Adawlut to afford information respecting (here insert in general terms the purpose for which the witness's presence is required) you are hereby required to attend before the said Court at (seat of the Court) on the (insert the time): (*If the witness is required to produce any article, here add* " and to bring with you" &c.)

In

In failure whereof you will be liable to the penalties which attach by Regulation to the same.

(Date.) (Signature and official designation of the Register.)

N. B. An endorsement shall be made on the summons, specifying either that the officer to whom it is addressed shall use his discretion in applying any of the modes of enforcement detailed in the first clause of Section XXXIV, or directing which of them shall be resorted to, and the extent of penalty to be inserted.

APPENDIX L.

No. 1.

(*See Section* XXXII *Clause 2d.*)

Form of warrant for executing a sentence passed by the Suddur Foujdaree Adawlut in a case referred to it by a Court of Circuit or Criminal Judge.

Seal.

To ———

Criminal Judge of the Zilla of ———.

Whereas a case was referred to the Court of Suddur Foujdaree Adawlut on the (insert the date of the reference) by the {Criminal Judge of the ..... / Judge on Circuit holding a Session in the} Zilla of ———, wherein (insert the name of the convict) was charged with (insert the charge) and has been found {guilty..... / under circumstances of extenuation guilty / *or* / not guilty.....} thereof, and has

has been sentenced to (insert the sentence) you are hereby required to { execute the said sentence / *or* / discharge him..... } according to the Regulations.

(Date.)

(Signatures and official designations of a sufficient number of Judges to constitute a Court.)

No. 2.

(*See Section* XXXII *Clause 2d.*)

Form of warrant to be used when pardon or mitigation of punishment is granted by Government.

Seal.

To (insert the address of the officer in whose custody the prisoner may be.)

Whereas (insert the name of the prisoner) was convicted before (insert the convicting authority) of (insert the crime of which the prisoner was convicted) and sentenced to (insert the sentence) for execution of which a warrant was issued to (insert the designation of the officer to whom the warrant was addressed) on the (insert the date of the warrant) and it has been deemed expedient by the Governor in Council that { the said punishment shall be mitigated / *or* / the said prisoner be pardoned, ... } which resolution has been signified to the Court of Suddur Foujdaree Adawlut in a letter dated (insert the date of the Government order) the sentence is in consequence recalled, and the said warrant cancelled, and you are hereby required, according to the said

said resolution of Government to { set the said prisoner at liberty..... *or* (here insert whatever punishment is to be inflicted) .... }

and to return the said cancelled warrant with this present one, when the latter shall have been duly executed.

(Signature and official designations of a sufficient number of the Judges to constitute a Court.)

(Insert the date.)

APPENDIX M.

(*See Section* XXXIV *Clause* 1*st.*)

Form of recognizance to be entered into by a witness.

I (insert the name and profession of the witness and of his or her father, if the witness be a male or unmarried female, and if a married female then the name of her husband and his profession, and in either case the residence of the witness) hereby bind myself to be in attendance on (insert the time) at (insert the place) in order to give evidence before (insert the authority before which the witness is summoned to appear) and there to continue, until dismissed by the said (insert the above said authority)

In failure whereof I shall be liable to forfeit the sum of rupees (insert the amount) to Government, and, if the said forfeiture be not paid, I shall be liable to imprisonment in the criminal jail for the term of (insert the period)

(Date.) (Signature of the witness.)

(Authentication by the officer before whom the instrument is executed.)

REGULATION XIII. A. D. 1827.

APPENDIX N.

(See Section XXXIV *Clause 1st.)*

Form of penalty bond to be entered into by a security for the attendance of a witness.

I (insert a sufficient designation of the security) hereby bind myself as security for (insert the name of the witness) who is bound to appear for the purpose of giving evidence before (insert the authority before which the witness is to appear) on (insert the time) at (insert the place) and there to continue until dismissed by the said authority:

If the said (insert the witness's name) fail in any of these conditions, I engage to forfeit the sum of rupees (insert the amount) to Government, and, if the said forfeiture be not paid, I shall be liable to be imprisoned in the criminal jail for a period of (insert the period)

(Date.) (Signature of the security.)

(Authentication of the officer before whom the instrument is executed.)

(Branch of Criminal Judicature.)

A. D. 1827. REGULATION XIV.

A REGULATION *for defining crimes and offences and specifying the punishments to be inflicted for the same.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jumadyool Akhir* 1242 *of the Hijree.*

Consisting of six (6) Chapters, as below :

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*A general description of the acts which are to be considered criminal, with reference to the mode in which each is punishable*.....	I.
II.	*Of punishments and the mode of their execution*.....	III.
III.	*Of offences against the state in its domestic and foreign relations, and the punishments to which they are liable ; comprising,*	
	Treason:	
	Rebellion :	
	Unlawful attempt to alter the established laws:	
	Disturbing the peace of foreign states ..	XII.
IV.	*Of offences against morality or the community at large, and the punishments to which they are liable ; comprising,*	
	Perjury :	
	Forgery :	
	Coining :	
	Issuing base coin :	
	Selling poisons:	
	Disguising the appearance of valuable articles :	
	Fraudulent use of weights or measures :	
	Fraudulently describing articles offered for sale :	
	Violation of local police rules :	
	Escape from custody :	
	Resistance of legal process.....	XVI.

Of

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
V.	*Of offences against the person, and the punishments to which they are liable; comprising,*	
	Murder:	
	Culpable homicide:	
	Procuring abortion:	
	Rape and other assaults:	
	Insult and threatening:	
	Illegal import, export and transfer of slaves:	
	Kidnapping, detention and forced service:	
	Denunciations, by means of TRAGA, DHURNA, JHANSA, &c.....	XXVI.
VI.	*Of offences against property, and the punishment to which they are liable; comprising,*	
	Gang robbery:	
	Robbery:	
	Theft:	
	Breach of trust:	
	Receiving stolen goods:	
	Destroying property.....	XXXVI.

(Branch of Criminal Judicature.)

REGULATION XIV. A. D. 1827.

A REGULATION *for defining crimes and offences and specifying the punishments to be inflicted for the same.*— PASSED *by the Governor in Council on the* 1*st January* 1827, *corresponding with the* 4*th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2*d Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS the principles of justice require that the punishments to be inflicted on criminals and the offences by which those punishments are respectively incurred should be publicly promulgated, and whereas in conformity with this object and with the enactments of the British Legislature it has been the practice of the British Government of Bombay to apply to its subjects respectively their peculiar laws modified and amended as necessity required by Regulations passed and published, the courts of justice ascertaining the native law in each case, as it occurred, by a reference to the law officer of the religion of the offender; and whereas an enactment, which should enumerate various offences, and specify their respective punishments the same being the general result of the practice of the Courts founded on the successive expositions of the law officers consulted, must to a considerable extent secure the more steady observance of the principle of administering to individuals the law of their religion, by avoiding the probable variation in the expositions of different officers given each at the moment when the law is about to be applied, and whereas such an enactment will also combine the great advantages of superior publicity to the law, and of substituting a suitable discretion for the indefi-

nite

nite power conferred in numerous instances on the Court by the expositions of the law officers, while it will also provide a code easy of access for these individuals of the community, to whom, as not being subject to any specific national or religious code of criminal law, the English law has with considerable inconvenience been hitherto applied, the following rules are therefore enacted, to have effect from such date as shall be prescribed in a regulation to be hereafter passed for that purpose.

CHAPTER I.

A GENERAL DESCRIPTION OF THE ACTS WHICH ARE TO BE CONSIDERED CRIMINAL, WITH REFERENCE TO THE MODE IN WHICH EACH IS PUNISHABLE.

Specification of penal acts.

SECTION I.—*Clause 1st*—Actions such as those hereafter enumerated are declared to be liable to the punishments respectively assigned;

Offences against the state,

First.—Offences committed against the state in its domestic or foreign relations as defined with the punishments to which they are liable in Chapter III.

morality, and the community at large,

Second.—Offences against morality or the community at large as defined with the punishments to which they are liable in Chapter IV.

person,

Third.—Offences against the person as defined with the punishments to which they are liable in Chapter V.

and property.

Fourth.—Offences against property as defined with the punishments to which they are liable in Chapter VI.

Offences peculiar to certain public officers,

Fifth.—Acts committed by public officers in breach of rules established for their guidance, the definition of, and punishment for which are specified in those parts of the code which relate to such officers respectively.

Sixth.

A. D. 1827. REGULATION XIV.

or against particular enactments.

Sixth.—Acts which (whether or not abstractedly criminal) constitute breach of laws made for particular purposes, the definitions of and punishments for which are specified in the parts of the code relating to them respectively.

or the religion of the offender.

Seventh.—Offences declared penal by the religious law of the person charged, provided they be not included among those for which punishment is enacted in the code of regulations, but nevertheless constitute a breach of morality, or the peace, or good order of society: they shall be liable to such punishment as may be prescribed by the religious law of the convict, if it be of a nature authorized in Section III of this regulation; otherwise, it shall be commuted to such of the punishments therein authorized, as may be deemed equivalent and appropriate by the authority taking cognizance of the case.

Attempts how punishable.

Clause 2d.—An attempt to commit any of the above acts shall be punished according to the Court's judgment founded on a combined consideration of the measure of guilt attempted and committed; but the punishment for such attempt shall in no case exceed that prescribed for the actual commission of the offence attempted.

and offences not specifically designed.

Clause 3d.—The unintentional commission of any of the above acts shall be punished according to the Court's judgment of the culpable disregard of injury to others evinced by the person committing the said act, but the punishment for such unintentional commission shall not exceed that prescribed for the offence committed.

Mixed cases how prosecuted and punished.

Clause 4th.—If the case should combine the conditions of the two last preceding clauses, a combined prosecution under both may likewise be instituted; but the punishment shall not exceed that which could be adjudged under either of the said clauses, which the Court in its discretion may decide to apply.

Clause

REGULATION XIV. A. D. 1827.

Instigation and aid how punishable, also concealment in the case of serious crimes.

Clause 5th.—Instigating or aiding in any of the above offences committed or attempted, shall be punishable as the respective offence; and in treason, rebellion, murder, or gang robbery, concealment *whether before or after the fact* shall be punishable equally with instigation or aid.

Concealment before the fact in other cases how punishable.

Clause 6th—Concealment *before the fact,* in the case of any offence not specified in the preceding clause with reference to concealment, shall, if the offence be attempted or committed, be liable to punishment of the same nature (exclusive of death, transportation, or imprisonment for life) as that assigned to the respective offence, but to only half the extent.

Special rules with regard to near connexions.

Clause 7th.—The provisions of Clause 6th shall not apply to concealment in favor of a parent or child, husband or wife, brother or sister of the concealer, and protection or concealment *after the fact* of the offender or the offence, when any of the said connexions exist, shall never be punishable, unless the protection afforded be attended with such violence or threats of the same towards a third person, as would probably occasion death or maiming to the person against whom directed.

Accessaries may be punished more severely than principals.

Clause 8th.—The degree of punishment inflicted by virtue of Clauses 5th, 6th and 7th shall not be considered as necessarily regulated by that to which the principal in that particular case may have been sentenced, but may be greater or less according to circumstances, and within the prescribed limit.

Offences simultaneously committed may be prosecuted separately.

Clause 9th.—Conviction or acquittal of any particular offence is not to exempt the culprit from being tried for any criminal act of different denomination, which may have been committed at the same time, provided that it was not virtually included in the charge, on which he may have been so convicted or acquitted.

A. D. 1827. REGULATION XIV.

SECTION II.—*Clause* 1*st*.—Criminal offences, as above described, shall not be made subjects of litigation in the civil courts, except in the following instances, and then the institution or result of a civil suit shall in no way depend on, or affect any prosecution of the offence in the criminal court.

Criminal offences not prosecutable in the Civil Court:

Clause 2*d*.—Acts of fraud specified in section XXII, petty assaults, abuse and calumny specified in section XXIX Clause 2d, fraudulent removal of property specified in section XL, and damage to private property specified in section XLII Clause 2d, may be prosecuted in the civil court by the complainant.

exception in certain cases of private injury,

Clause 3*d*.—Breaches of duty in native officers of Courts of Justice, and in natives employed in police duties, or in the collection of revenue, taxes, or customs, may likewise, in conformity with the several sections of Regulations II, XII, XIII, XVI, XVII, XVIII, and Chapter III of Regulation XX A. D. 1827, which treat of those offences, be prosecuted in the Civil Court by the complainant.

and of the misconduct of public servants.

CHAPTER II.

OF PUNISHMENTS AND THE MODE OF THEIR EXECUTION.

SECTION III.—*Clause* 1*st*.—The following punishments and no others are authorized to be inflicted for the offences to which they are respectively assigned in the code of regulations;

Specification of punishments.

First—Death, ...	Under the rules prescribed in	section IV.
Second—Transportation, ...		section V.
Third—Confiscation of property, ...		section VI.
Fourth—Imprisonment, which may be solitary or ordinary, and include banishment and hard labour,		section VII.
Fifth—Flogging, ...		section VIII.
Sixth—Fine, ...		section IX.
Seventh—Public disgrace, ...		section X.
Eighth—Personal restraint, ...		section XI.

Clause

REGULATION XIV. A. D. 1827.

Punishment may be delayed if its infliction would occasion suffering not contemplated.

Clause 2d.—If a prisoner sentenced to punishment by any authority, except a Special Court, should be seized with illness or be liable to personal infirmity of such nature, as would occasion the execution of the sentence to produce corporal evil of a sort not intended, the officer, whose duty it may be to execute the sentence, shall be authorized to delay it, till such illness or infirmity may have ceased, if temporary; and, if permanent, he shall report the case to the Suddur Foujdaree Adawlut, which shall have authority to recall the warrant, and issue another containing a sentence of such commuted punishment as it may deem adequate, the same being of the nature and within the limit prescribed for the respective offence; but, if the original sentence have been passed by a Special Court, the remedy in the case contemplated, shall be sought for from the Governor in Council by the means described in regulation XIII A. D. 1827 section XXXI, the officer in charge of the prisoner being authorized to act in the interim as above stated.

Death how to be inflicted,

time and place;

SECTION IV.—*Clause 1st.*—The punishment of death shall be inflicted by hanging the criminal by the neck; and such time of day, (being between sunrise and sunset) as well as such spot, at the place expressed in the warrant, shall be selected, as may afford the greatest possible publicity to the execution, which also shall not take place on Sunday, Good Friday, or Christmas day.

ceremonies which may be used:

Clause 2d.—All executions shall be conducted in a manner calculated to impress the spectators with awe, and when specified in the warrant they shall be accompanied with such circumstances in the dress or exposure of the criminal, as without adding to his sufferings may increase the impression on the spectators.

the body how to be disposed of:

Clause 3d.—If so directed in the warrant, the body shall remain suspended in chains, otherwise it shall be delivered to

any

any one who may apply for the purpose of performing funeral rites, and, if no application be made, shall be buried at the place of execution.

also the gibbet.

Clause 4th.—The gibbet shall be inscribed or disposed of according to any direction contained in the warrant, and if there be no such directions it shall be removed.

Brahmuns and females are in certain cases exempted from the punishment of death.

Clause 5th.—Death shall not be inflicted on Brahmins, or females, in districts, where the religious feelings of the native community would be shocked thereby, unless in cases of such deep atrocity as may be expected to counteract the effect of those feelings.

Transportation adjudged only for life, how enforced.

SECTION V.—*Clause 1st.*—Transportation shall always be for life, and the criminal so sentenced shall be sent beyond sea under the instructions of Government, having been in the first instance delivered to the custody of the senior magistrate of police in the Island of Bombay, or other officer as Government may direct.

penalty of return without a pardon.

Clause 2d.—A criminal returning from transportation without pardon shall be tried for the same before a Court of Circuit, and on his identity being thus established shall be retransported as described in the preceding clause.

Confiscation how enforced:

SECTION VI.—*Clause 1st.*—Confiscation of property is the seizure for the use of Government of all property of which the convict may be possessed at the time of sentence.

a maintenance secured to the convict's family:

Clause 2d.—The authority adjudging confiscation shall at the same time assign to the family of the offender sufficient maintenance out of the property confiscated, or such as it will afford.

doubts regarding the convict's property how to be solved.

Clause 3d—If there be a doubt respecting any particular property

property belonging to the convict, the officer charged with executing the sentence may either make the seizure in the first instance, leaving the right to be decided by the usual course of law, or he may give a written notice of his intention to the supposed claimant, specifying the property in question, and stating that the seizure will be made at the end of six months from the date of delivery: the note shall also state that, if by the said period the claimant shall not have instituted any legal process to establish his right, he will forfeit the same, and, if no such process be so instituted, the forfeiture shall take place accordingly.

and his outstanding demands how recovered.

Clause 4th.—And the officer charged with the execution of a sentence of confiscation shall be entitled to recover by the usual process of law all debts and rights due to the convict in the same manner as if the said officer were an accredited agent to the convict.

Imprisonment if solitary, limited to two years; if ordinary, to fourteen years,

but perpetual imprisonment may be substituted for death, and the Convict may then be transported.

SECTION VII.—*Clause 1st*—Imprisonment may be either solitary or ordinary: in the first case it shall not be adjudged for a longer period than two years, and shall not be combined with ordinary imprisonment, and, in the latter, it shall not be adjudged for a longer period than fourteen years, except that ordinary imprisonment for life may be substituted as commutation for a sentence of death, in which case it shall be at the discretion of Government to cause the prisoner to be transported, under the rules applicable to transportation.

Solitary imprisonment how enforced.

Clause 2d.—Solitary imprisonment shall be enforced by confining the prisoner in a room, where no communication can be had with any one: the room shall be opened only once in each day, in order to clean it and supply the prisoner with food, and shall be kept open no longer than necessary for those purposes, no conversation being allowed with the prisoner at those times: but visits not exceeding one hour each, and at intervals of not less than one month, may be permitted to be made to the

prisoner

prisoner by any of his friends at the discretion of the Criminal Judge, who will take due precaution that the convict's safe custody be not thereby endangered.

Ordinary imprisonment may, if the warrant so direct, include hard labour,

from which however Brahmins and females and certain other persons are in general exempted.

Clause 3d.—Ordinary imprisonment shall, if the warrant or sentence so direct, subject the prisoner to be kept to hard labour, such as repairing roads, carrying burdens and other such toilsome employments, the labour being applied to purposes of public utility: but Brahmins, females, and persons of such order in society, that the sentiments of the native community would be shocked by their being so employed, shall not be sentenced to hard labour, unless in cases of such deep atrocity as would obviate that impression.

Imprisonment with hard labour may be enforced any where within the Bombay territories.

Clause 4th.—Convicts sentenced to imprisonment with hard labour may be removed to suffer the same at any zilla subordinate to the Presidency of Bombay, under the directions of the Suddur Foujdaree Adawlut, or at the Presidency, under the direction of the Governor in Council through the medium of that Court.

Convicts suffering imprisonment may be place on conjee diet for a period.

Clause 5th.—A sentence of imprisonment either solitary or ordinary without labour, may be accompanied with directions to keep the prisoner on conjee diet for a period not exceeding one month.

Flogging how inflicted,

one infliction not to exceed twenty five stripes,

nor one sentence a hundred stripes:

SECTION VIII.—*Clause 1st.*—The punishment of flogging shall be inflicted on the bare back with a rattan, or such other instrument as may be authorized by the Suddur Foujdaree Adawlut. No culprit shall suffer more than twenty five stripes at one time, or shall be sentenced to more than one hundred in one judgment.

time, place, and intervals of infliction:

Clause 2d.—The warrant may direct the place where the punishment is to be inflicted, and if it is to be repeated at intervals they shall be specified in the warrant, and the rules contained

tained in the first clause of section IV regarding publicity in executing capital sentences, shall be followed in executing sentences of flogging.

certain persons exempted from this punishment.

Clause 3d.—Persons of such description as are directed in the third clause of the preceding section to be exempted from hard labour shall not be sentenced to flogging.

Fine always commutable into imprisonment not exceeding five years.

SECTION IX.—*Clause 1st.*—When a fine is imposed, a period of ordinary imprisonment to be suffered in commutation, if the fine be not realized, shall be specified in the warrant: this period shall never exceed five years, and is always to be considered included in the limitations of imprisonment prescribed as punishment for particular offences, or as bounding the jurisdiction of particular officers.

such imprisonment further limited as explained:

fines may be partly discharged and the assigned imprisonment in part suffered.

Clause 2d.—When a fine is partly paid, the imprisonment assigned in commutation shall be proportionally reduced; the calculation for this purpose of periods and payments shall reckon each month at thirty days, and shall descend to one rupee or day, but not lower on either side; and quantities containing fractions shall be changed for their next integral numbers in favour of the convict.

Special enactments regarding fines are not affected by these rules.

Clause 3d.—Nothing contained in this section shall be understood to impose special enactments regarding fines in particular cases.

Public disgrace how inflicted.

SECTION X.—Public disgrace shall be inflicted by means of any degrading exposure, which may not involve corporal pain or offend moral propriety, such as conveying the culprit publicly on an ass, with his face blacked or with an inscription affixed to his person; but the particular mode adopted must have been previously sanctioned as a punishment by the Suddur Foujdaree Adawlut.

SECTION

A. D. 1827. REGULATION XIV.

SECTION XI.—*Clause* 1*st.*—Personal restraint shall be carried into effect by confining the culprit under charge of some public officer, either at the culprit's own house, or at the chowra, or other place of public resort, for a period not exceeding fifteen days.

Personal restraint to be inflicted as described,

Clause 2*d.*—Or the culprit may be placed for a period not exceeding 14 hours under any sort of restraint analogous to those mentioned in the preceding clause, the use of which may previously have been sanctioned by the Suddur Foujdaree Adawlut.

or differently if the Suddur Adawlut's sanction be obtained.

CHAPTER III.

OF OFFENCES AGAINST THE STATE IN ITS DOMESTIC AND FOREIGN RELATIONS AND THE PUNISHMENTS TO WHICH THEY ARE LIABLE; COMPRISING

Treason.
Rebellion.
Unlawful attempt to alter the established laws.
Disturbing the peace of foreign states.

SECTION XII.—*Clause* 1*st.*—Any person subject to the criminal jurisdiction established by Regulation XI. A. D. 1827 sections I and III, who shall raise or employ armed men for the purpose of making war against any of the British Governments in India or the adjacent countries, or for the purpose of open depredation, or who shall join men so raised or employed, or shall attempt the fidelity of the troops of any of the said Governments, or shall assist its foreign enemies or rebels, or who shall be guilty of any act for the subversion of any of the said Governments or the forcible dismemberment of its territories, shall be liable to suffer the punishment of treason.

Treason,

Clause 2*d.*—The punishment of treason shall be death, and confiscation of property.

its punishment,

SECTION

REGULATION XIV. A. D. 1827.

Rebellion.

SECTION XIII.—*Clause 1st.*—Persons exceeding twelve in number assembling for riotous or rebellious purposes not amounting to treason shall be liable to the punishment of rebellion.

Its punishment.

Clause 2d.—The punishment of rebellion is ordinary imprisonment for a period not exceeding ten years, or fine, or both combined,

An unlawful attempt to alter the law:

SECTION XIV.—*Clause 1st.*—Any person who shall address threats to the established Government, or threats or promises to any of its agents or of the authorities under it, for the purpose of procuring alteration in the law, or rendering it nugatory, or shall institute or join any conspiracy ratified by any sort of bond, oath, or agreement between individuals to execute the said measures, shall be deemed guilty of an unlawful attempt to alter the established laws:

Its punishment.

Clause 2d.—And the said unlawful attempt shall be liable to punishment by fine, or ordinary imprisonment not exceeding a period of ten years, or both combined.

Disturbance of the peace of foreign states:

SECTION XV.—Any person subject to the criminal jurisdiction established by Regulation XI. A. D. 1827 who shall, while residing within any zilla situated in the said jurisdiction, or within six months after quitting such jurisdiction, disturb the peace of a foreign state not at war with the British Government, or wilfully aid such offence by the grant or loan of money or arms,

Its punishment.

shall be liable to punishment by fine or ordinary imprisonment not exceeding ten years, or both combined.

A. D. 1827. REGULATION XIV.

CHAPTER IV.

OF OFFENCES AGAINST MORALITY OR THE COMMUNITY AT LARGE, AND THE PUNISHMENTS TO WHICH THEY ARE LIABLE: COMPRISING,

Perjury.
Forgery.
Coining.
Issuing base coin.
Selling poisons.
Disguising the appearance of valuable articles.
Fraudulent use of weights or measures.
Fraudulently describing articles offered for sale.
Violation of local police rules.
Escape from custody.
Resistance of legal process.

Perjury.

SECTION XVI.—*Clause 1st.*—Any person who shall wilfully make a false statement upon oath or solemn declaration before any authority empowered by Regulation to administer the same, or who shall break the oath or declaration prescribed in the code of regulations as a qualification for any public office, shall be subject to the punishment of perjury.

its punishment:

Clause 2d.—Perjury shall be punishable by fine, imprisonment not exceeding ten years, flogging not exceeding fifty stripes, or public disgrace, or any of these combined.

special rule as to the trial of perjury.

Clause 3d.—But no person shall be tried for perjury by the individual officer before whom it is alleged to have been committed.

Forgery.

SECTION XVII.—*Clause 1st.*—Any person who shall counterfeit or fabricate any document or written instrument, or any signature, seal or mark upon such, or shall alter or efface the same, or any part thereof, with the intent of applying

the

the same to a fraudulent purpose, shall be deemed to have committed forgery.

and the wilful application of forgery to purposes of fraud,

Clause 2d.—Any person who shall make a fraudulent use of a document or instrument so forged, knowing it to be so, shall be liable to the punishment prescribed for forgery.

how punished.

Clause 3d.—Forgery shall be punishable by fine, imprisonment not exceeding five years, flogging not exceeding fifty stripes, or public disgrace, or any of these combined.

Unlawful coining or injuring the legal coin how punished.

SECTION XVIII.—Any person coining money without authority from Government, or wilfully injuring the legal coin of the country, or furnishing tools, knowing that they are to be applied to the said purposes, shall be punishable with fine, ordinary imprisonment not exceeding eight years, or flogging, or any of these combined.

The issue of unlawful coin,

how punished in serious cases,

SECTION XIX.—*Clause 1st.*—Any person who may issue money which he knows to be base and unlawfully coined, shall, if the amount be greater than ten rupees, or if he have previously been convicted of the said offence, be liable to the punishment prescribed for unlawful coining in the preceding section.

and how in more trivial ones.

Clause 2d.—But if the amount do not exceed ten rupees, and the culprit have not before been convicted of the offence, he shall be punishable by fine not exceeding three times the amount of the sum issued, or attempted to be issued, commutable to ordinary imprisonment without labour, for a period of two days for each rupee of fine.

The unlicensed retail of poisons how punishable;

SECTION XX.—*Clause 1st.*—Any person who sells by retail the poisonous drugs or deleterious substances described in Clause 3d of this Section, without having obtained a licence from the Collector according to Regulation XXI A. D. 1827

Section

Section XLIV, and lodged a copy thereof in the Magistrate's office, shall be punishable with fine, or ordinary imprisonment for a period not exceeding one year, or both combined.

also certain incautious sales under licence.

Clause 2d.—And a licensed retailer of the said articles who shall, with regard to such of them as the Magistrate shall have specified, fail on the occasion of any sale to ascertain the purpose to which the article is to be applied, and to make an entry in a book (which shall always be kept ready for the Magistrate's inspection) of the quantity and date of sale, and the name and abode of the purchaser, shall also be subject to the penalties specified in the preceding clause.

articles placed under licence, which however Medical practitioners may give as medicines.

Clause 3d.—The articles prohibited as above to be retailed without a licence are the following, and it is to be understood that a medical practitioner administering any of them as medicine in the course of his professional practice, does not incur any penalty thereby.

Mineral poisons.	Antimony.	Crocus of,.....	—Soofed Soorma.
		Glass of,.....	—Soorma.
	Arsenic.	Red.....	Munsel. / Tamra Soomul.
		White,.....	Soomulkhar. / Soofed Soomul.
		Yellow,.....	Hurtal. / Pewra Soomul.
		Cobalt,.....	Unknown, / *perhaps* Kubood.
	Lead.	Burnt,.....	—Seesa ka bhusm.
		Red,.....	—Sendoor.
		Sugar of.....	Moordarsing. / Moordarsing ka zung. / Moordarsing ka durb.
		White,.....	—Soofeda.
		Verdigrease,.....	—Zungar.
		Vitriol blue,.....	Neela tootha. / Mortootha.

Named in the Hindoostanee language,

Vegetable

REGULATION XIV. A. D. 1827.

Vegetable poisons.	Named in the Hindoostanee language,
Cocculus Indicus,....	—Kak maree kee beenj
Napellus Moysis,....	—Bichhnak.
Nux Vomica,.....	—Kachla.

The fraudulent or suspicious melting or alteration of ornaments or other valuable property,

how punished.

SECTION XXI.—Any person who shall have melted, or disguised the appearance of ornaments or articles composed of the precious metals, or jewels, under circumstances which furnished cause for suspicion, that the said articles had been dishonestly procured, shall be punishable with fine, ordinary imprisonment not exceeding three years, flogging not exceeding fifty stripes, or public disgrace, or any of these combined.

Fraud by retail dealers in respect to weights and measures,

how punished.

SECTION XXII.—Any person professing to deal in retail, who may use false weights or measures, or use correct ones in a fraudulent manner, or offer articles of sale under a false description of their nature, shall be punishable with fine, ordinary imprisonment not exceeding one year, flogging not exceeding thirty stripes, disgrace, or any of these combined.

Breach of local rules,

how punished.

SECTION XXIII.—Any person wilfully violating any rules established or sanctioned by the magistrate in conformity to the provisions of Regulation XII A. D. 1827, section XIX, shall be punishable with fine not exceeding his computed average monthly income, ordinary imprisonment without hard labour, not exceeding one month, flogging not exceeding twenty five stripes, or personal restraint, or any of these combined.

Escape of a convict from custody,

SECTION XXIV.—Any person who shall effect a forcible escape from custody, after sentence has been passed on him, shall be liable to be tried for the same before a Court of Circuit, and to suffer punishment of the same nature as that, to which the act for which he had originally been sentenced is liable, except death

death, transportation and confiscation; and no sentence of imprisonment for a longer period than four years, or of flogging to a greater extent than forty stripes shall be awarded. how punished.

SECTION XXV.—Resistance to any process issued by a Civil or Criminal Court, or to any officer of such Court in the performance of an act within his official province, if perpetrated by force, or by a threat of force of a nature apparently within the offender's power to execute, shall be punishable with fine, imprisonment not exceeding four years, flogging not exceeding fifty stripes, personal restraint, or any of these combined. resistance to legal process, its punishment.

CHAPTER V.

OF OFFENCES AGAINST THE PERSON AND THE PUNISHMENTS TO WHICH THEY ARE LIABLE; COMPRISING,

Murder.
Culpable homicide.
Procuring abortion.
Rape and other assaults.
Insult and threatening.
Illegal import, export and transfer of slaves.
Kidnapping, detention and forced service.
Denunciations, by means of Traga, Dhurna, Jhansa, &c.

SECTION XXVI.—*Clause* 1*st.*—Any person who shall purposely, and without justifiable or extenuating cause deprive a human being of life, or who shall commit or assist in any unlawful act, the perpetration of which is accompanied with the death of a human being, shall be liable to the punishment of murder; provided always that death take place within six months after the act was committed. Murder defined.

Clause 2*d.*—The belief that sorcery was practised by the deceased shall not be admitted as a justifiable cause for putting him The belief that the deceased was a

sorcerer no justification: provision regarding self-immolation prescribed by the religion of the sufferer.

him or her to death, nor shall the deceased's own request be so admitted; but assisting at any rites of self-immolation, as directed by the religious law of the person performing such immolation, shall not subject any one to the penalty of murder.

certain causes may justify the taking away life.

Clause 3d.—Deprivation of life may be considered justifiable as a means of resistance (provided it be the only evident and efficient one) to violence offered to the person or property of any one, or as the only evident and efficient means of securing a person who has committed robbery or murder, or any other atrocious offence.

punishment of murder.

Clause 4th.—The punishment of murder shall be death, transportation, imprisonment for life, or solitary imprisonment with flogging.

Culpable homicide,

SECTION XXVII.—Any person who shall by committing or assisting in any unlawful act occasion the death of a human being, provided, as before, that death ensue within six months after the act was committed, under circumstances which the Court, in judging of the act, intention, and cause, considers though not justifiable under the preceding section, yet sufficiently extenuating to divest the act of so much criminality as would constitute murder, shall be deemed guilty of culpable homicide, and shall be punishable with fine, or imprisonment not exceeding ten years, or both combined.

how punished.

The causing abortion how punished.

SECTION XXVIII.—A woman removing her own pregnancy by procuring abortion shall be punishable with fine, or imprisonment not exceeding ten years, or both combined.

Rape and serious assaults,

SECTION XXIX.—*Clause 1st.*—The crime of rape, as also an assault committed on the person of any one in such way as to maim or destroy the action of a limb temporarily or permanently, or injure the health, or to occasion what the Court

may

may consider a great degree of bodily suffering to the person assaulted, or to cause a severe shock to the mental feelings of the sufferer, shall be punishable with fine, imprisonment, or flogging, or any of these combined.

how punished:

Clause 2d.—And assaults of a trivial nature, as well as abusive, calumnious, or threatening expressions addressed to a person in his presence, and of a nature tending to provoke a breach of the peace, shall be punishable with fine, ordinary imprisonment not exceeding six months, or personal restraint, or any of these combined.

trivial assaults, including abuse,

how punished.

Clause 3d.—Any unlawful mode of wilfully producing bodily injury or suffering, though not actually an assault (as for instance administering unwholesome food) shall be punishable, according to the consequences produced, in the same way and to the same extent as an assault.

All unlawful acts producing bodily suffering to be deemed assaults, and punished accordingly.

SECTION XXX.—*Clause 1st.*—Any person who shall import into any zilla subordinate to Bombay a slave for sale, (and sale within one year after importation shall be deemed conclusive proof that such was the object of the importation) shall be punishable, if the slave be of ten years of age or upwards, with fine, or ordinary imprisonment not exceeding one year, or both, and, if the slave be under ten years of age, with fine, or ordinary imprisonment, or both; and further, the simple importation of a child under ten years of age in a state of slavery, except in time of famine, or immediately after, and on written permission granted by the magistrate, is hereby declared illegal, and will be visited with the retributive measures described in section XXXII.

Import of slaves for sale;

how punishable:

children imported as slaves, except in a famine, to be set free.

Clause 2d.—Any person who shall export a slave from a zilla subordinate to Bombay into foreign territory, without first obtaining a written permission from the magistrate, whose duty

Export of slaves without leave,

how punishable:

it

it shall be to grant the same only when satisfied that the object is not sale, will be punishable with fine, or ordinary imprisonment not exceeding one year, or both, and the slave on returning to the Bombay territories shall be held to be free.

the slave on returning becomes free.

sales of slaves are punishable,

SECTION XXXI.—In addition to the preceding rules the following sales of slaves within the zillas subordinate to Bombay are declared to be illegal, and all persons concerned therein either as buyers or sellers will be punishable with fine, or ordinary imprisonment, or both;

if not registered,

First.—All sales whatever not registered by the magistrate, whose duty it shall be after due investigation to grant or withhold such registration and a certificate thereof, according as the rights of the parties and the provisions of the Regulations may seem to require.

if a young child and its mother are separated,

Second.—Any sale of a female slave having a child under ten years of age, by which such child is separated from her.

if the slave be not ten years old, unless in a famine,

Third.—Any sale of a child under ten years of age, though already in a state of slavery, except in time of famine.

if the sale be of a child into slavery, except by his parent in famine, a right of redemption remaining,

Fourth.—Any sale of a child into slavery, except in time of famine and by one of the parents, in which case a right of redemption at the price of sale shall be reserved to either parent and the child, for the period of ten years.

if of a female for prostitution.

Fifth.—Any sale of a female for common prostitution.

slaves illegally imported or sold are set free, and may be sent to their homes at the offender's expense.

SECTION XXXII.—Whenever an importation or sale of a slave has been pronounced to have been illegally made, the slave becomes thereby emancipated, and if Government shall so determine, on a report to be made by the zilla magistrate, if the case shall have been decided by him, and by the Criminal Judge

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Judge in all other instances, a fine commutable into imprisonment according to their jurisdictions shall be imposed on the offender by those authorities respectively, and shall be expended when realized in re-exporting the emancipated slave to his own country.

unlawful confinement,

SECTION XXXIII.—*Clause* 1*st*.—The detention of any person in unlawful confinement by force, or threats from their nature and extent reasonably to be deemed sufficient to deter the person threatened from attempting to escape, and apparently in the power of the offender to put in execution, shall be punishable with fine, or imprisonment not exceeding five years, or with both.

how punished.

The stealing of a child or idiot,

Clause 2*d*.—Stealing or forcing a child or idiot from its parents or guardians, or using force or threats, as defined in the preceding clause, to deter them from attempting to recover it, shall be punishable with fine, or imprisonment not exceeding ten years, or with both.

how punished.

reference to the law against the pressing of coolees.

Clause 3*d*.—The penalties attached to the pressing of coolees or begarees, the definition of that offence, and the measures which the magistrate is directed to pursue in order to bring to justice any person committing it, are recited in Regulation XII A. D. 1827 section XVII.

Intimidation when effected by the acts of self-inflicted violence,

SECTION XXXIV.—Any person who in seeking compliance with a demand, execution of an engagement, or redress or revenge for an injury, any of the same being either real or imaginary, shall pursue measures, which though immediately injurious to himself or to his own connexions only, are yet in the imaginations of the populace supposed to produce evil to the party towards whom they are directed, (as in Traga or Dhurna) shall be punishable with fine, or imprisonment not exceeding one year, or both combined.

how punished.

SECTION

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when effected by threats of other violence,

SECTION XXXV.—Any person who shall pursue the objects recited in the preceding section, by conveying threats of committing violence or injury of any nature in a manner different from that described in the preceding section, (as by Jhansa)

how punished.

shall be punishable with fine, imprisonment not exceeding five years, or flogging, or any of these combined.

CHAPTER VI.

OF OFFENCES AGAINST PROPERTY AND THE PUNISHMENTS TO WHICH THEY ARE LIABLE; COMPRISING,

Gang robbery.
Robbery.
Theft.
Breach of trust.
Receiving stolen goods.
Destroying property.

Robbery,

SECTION XXXVI.—*Clause 1st.*—Robbery is forcibly or secretly taking away property so as to deprive the owner thereof,

when to be considered Gang robbery,

and if committed by a number of persons greater than four, it shall be considered Gang robbery.

any person present, and countenancing robbery,

Clause 2d.—Any person acting in conjunction with another in robbery by being present, or so near as to be able to aid its perpetration by giving notice of the approach of strangers, or otherwise, and countenancing it, shall, although not actively engaged,

is guilty of robbery.

be deemed guilty of robbery.

robbery when deemed to be committed by night and when by day,

Clause 3d.—Robbery committed after sunset and before the ensuing sunrise shall be considered as committed by night, and if after sunrise and before the ensuing sunset, then by day, and if in the perpetration any personal violence or restraint have been used towards any one, or any dangerous weapon produced, so as to cause reasonable fear, or if entrance into the

and when to have been ac-

place

place where the robbery was committed have been effected by breaking any fastening or enclosure, the robbery shall be considered to have been accompanied with force.

accompanied with force.

SECTION XXXVII.—*Clause 1st.*—Gang robbery committed by day or night when accompanied with force shall be punishable in any of the modes specified in section III, except confiscation, the punishments of imprisonment, fine and flogging being assignable singly or combined at the discretion of the Court.

Gang robbery with force, how punished:

Clause 2d.—Gang robbery without force, if committed by night, shall be liable to the punishments of imprisonment, fine and flogging, singly or combined; and, if committed by day, it shall be punishable in the same manner, except that the period of imprisonment shall not exceed ten years.

without force how punished, if committed by night, and if by day.

Clause 3d.—Robbery committed by day or night when accompanied with force shall be punishable in the same way as prescribed for Gang robbery so committed in the first clause of this section.

robbery with force, is punishable as gang robbery,

Clause 4th.—Robbery without force, if committed by night, shall be punishable with fine, imprisonment not exceeding ten years, or flogging, or any of these combined; and, if by day, it shall be punishable in the same manner, except that the period of imprisonment shall not exceed seven years.

without force how punished, if committed by night, and if by day.

SECTION XXXVIII.—An attempt to commit robbery or gang robbery, punishable as prescribed by section I clause 2d, is committed by some one of the circumstances specified as a definition of force in the third clause of section XXXVI having taken place, or by the culprit having made use of words or actions evidently and immediately indicating an intention to resort to some of them, or by his joining a gang

attempts how proved.

of

of robbers, or by his having actually taken hold of or removed the article attempted to be stolen.

Petty thefts,

SECTION XXXIX.—Robberies which, from the smallness of the amount stolen, the want of care used in securing the property, the absence of cause for personal fear, or other such reasons, may be considered trivial in their nature and consequences,

how punishable,

shall be punishable as thefts with fine, ordinary imprisonment not exceeding six months, flogging not exceeding twenty five stripes, public disgrace, or personal restraint, or any of these combined.

appropriation of property by breach of trust,

SECTION XL.—Any person fraudulently removing or keeping from its owner property so entrusted to his charge or disposal as to enable him to do the same without employing either the force or secrecy which would constitute robbery according

how punished.

to the first clause of Section XXXVI, shall be punishable with fine, or ordinary imprisonment not exceeding seven years, flogging, or public disgrace, or any of these combined.

receivers,

SECTION XLI.—*Clause 1st.*—Any person receiving property knowing or having evident ground for suspecting such property to be stolen, or fraudulently withheld from its owner, without immediately giving information thereof to some public officer, shall be punishable with fine, ordinary imprisonment

how punished.

not exceeding five years, flogging, or public disgrace, or any of these combined.

declaration of the right of the lawful owner.

Clause 2d.—No person shall be deemed to have a right to property stolen or fraudulently withheld in supersession of the right of the owner or his legal representative, but this shall not operate to prevent the receiver from recovering an indemnification from the person from whom he received the property.

Wilful destruction of

SECTION XLII.—*Clause 1st.*—Any person who shall wilfully

and

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and wrongfully set fire to or otherwise damage or destroy any part of a dwelling house or building appertaining thereto, or property contained in a dwelling house, or building or enclosure appertaining thereto, or crops standing or reaped in the field, shall be liable to any of the punishments specified in section III of this Regulation, and if the punishment awarded consist of fine, imprisonment, or flogging, they may be combined.

certain property by fire or otherwise,

how punished.

Clause 2d.—Any person forcibly or secretly destroying or injuring the property of another shall be punishable with fine, ordinary imprisonment not exceeding five years, or flogging not exceeding fifty stripes, or any of these combined.

of other property generally, how punished.

Clause 3d.—Wilfully injuring any public edifice, well or machine, or any public fence, landmark, water course, or road, or generally any work or object of public utility, shall be punishable with fine, ordinary imprisonment not exceeding six months, or flogging not exceeding twenty five stripes, or any of these combined; but this clause is not to be considered applicable to the use of pasture, fuel, or other productions in an authorized way and by persons authorized so to benefit by them.

Trivial injuries or mischiefs done to public property, how punished;

exception as to the permitted appropriation of grass, wood &c.

(Branch of Criminal Judicature.)

A. D. 1827. REGULATION XV.

A REGULATION *containing rules under which landholders may be invested with police authority within their respective lands, or other convenient limits, and deprived of the same, and declaring the mode of procedure to be followed in regard to them in criminal matters.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of two (2) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Of the appointment of landholders to the police jurisdiction within their lands, or other convenient limits, and of the extent and nature of the authority conferred upon them, and mode in which it may be withdrawn*.....	I.
II.	*Of the mode of procedure to be followed in criminal matters in regard to landholders invested with police authority under this Regulation*.....	XIV.

(Branch of Criminal Judicature.)

REGULATION XV. A. D. 1827.

A REGULATION *containing rules under which landholders may be invested with police authority within their respective lands, or other convenient limits, and deprived of the same; and declaring the mode of procedure to be followed in regard to them in criminal matters.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jumadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is in some cases expedient, with the view of securing the exertions of individuals of rank and influence in aid of the police and of public justice, that landholders should be intrusted with the charge of the police within their respective lands, or other convenient limits; and whereas it is further desirable, while conforming to the ideas of the people at large with regard to the claims of birth and station, to gratify the feelings of such landholders by establishing, in respect to them and the individuals of their families, a mode of procedure in criminal cases less imperative than that which is applicable to the community at large, the following rules have therefore been enacted to have effect from such date as shall be prescribed in a regulation to be hereafter passed for that purpose.

CHAPTER

REGULATION XV. A. D. 1827.

CHAPTER I.

OF THE APPOINTMENT OF LANDHOLDERS TO THE POLICE JURISDICTION WITHIN THEIR LANDS, OR OTHER CONVENIENT LIMITS, AND OF THE EXTENT AND NATURE OF THE AUTHORITY CONFERRED UPON THEM, AND MODE IN WHICH IT MAY BE WITHDRAWN.

Landholders vested with police authority when deemed expedient.

SECTION I.—In districts where such a measure may appear to him expedient, it shall be lawful for the Governor in Council to cause landholders to be placed in charge of the police within their respective lands, or other convenient limits, under the provisions of this Regulation.

Landholders so vested to have a sunnud specifying their duties,

SECTION II.—*Clause 1st.*—When a landholder is placed in charge of the police by virtue of the preceding section, a sunnud shall be issued to his address specifying the territorial bounds of his jurisdiction, reciting generally the duties which the landholder is bound to perform, and containing as precise a specification as possible of the offences which he is empowered to try, as also the extent of punishment which he is authorized to adjudge: the jurisdiction of the landholder may extend to the trial of petty thefts, assaults and affrays, abuse calculated to produce a breach of the peace, and contempt of the authority of the head of a village, and to infliction, singly or combined, of ordinary imprisonment without labour for two months, fine amounting to thirty (30) rupees, commutable into imprisonment included in the above-mentioned term, public disgrace and personal restraint; or the said jurisdiction may be limited to the trial of trivial assaults and affrays, abuse, and contempt of the village head's authority, and to the infliction of the following punishments singly or combined, personal restraint for a period not exceeding eight (8) days, fine not exceeding five (5) rupees commutable into personal restraint, within the said period, and confinement in the stocks for a period not exceeding twelve (12) hours, continuous, or at intervals.

and powers,

which are of two ranges:

Clause

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Clause 2d.—The sunnud shall be in the form contained in Appendix A, but in the language of the zilla, and when the more extended range of authority is conferred, shall be issued in the name of the Governor in Council, the zilla magistrate retaining a copy, and in other cases by the zilla magistrate, under the sanction of Government previously obtained.

sunnuds for the higher range issued by Government,

others by the zilla magistrate,

Clause 3d.—The zilla magistrate shall, on transmitting the sunnud to the landholder, furnish him at the same time with a copy of this Regulation, and of any other parts of the code, with which, in the exercise of his police authority, it is important to him to be acquainted.

who is also to furnish landholder with copies of Regulations.

SECTION III.—The landholder shall employ on the duties of police the whole of his retainers and dependants of every description, or such portion thereof as he may deem expedient, together with the village establishments of the several villages over which his police jurisdiction extends, and on occasions of necessity, such as the apprehension of public offenders, or the defence of the country against marauders, or an enemy, shall have authority to call for the services of the inhabitants at large of the district under his control, and any person withholding such assistance, shall, on proof of such fact and of the urgency of the occasion to the satisfaction of the zilla magistrate, be punishable by fine not exceeding six (6) rupees, commutable to ordinary imprisonment, without hard labour, for a term not exceeding eighteen (18) days.

The landholder to employ his retainers on police duties,

and authorized to call for assistance from all persons,

who are punishable for non-compliance.

SECTION IV.—The nomination and dismission of the police servants immediately under him shall be in the hands of the landholder, but no individual shall, without the zilla magistrate's consent, be nominated by the landholder to any situation in the police, who may have been dismissed from his situation by the zilla magistrate or his assistant, or any higher tribunal.

The landholder nominates his police servants,

with the magistrate's consent in certain cases.

SECTION

REGULATION XV. A. D. 1827.

Mode in which police officers of other parts of the zilla act within the landholder's local jurisdiction.

SECTION V.—It is to be clearly understood that the zilla magistrate has authority, if he should deem it expedient, to empower all individuals on the several police establishments under his orders to act within the limits of the landholder's jurisdiction in the same manner as beyond them, but such individuals shall be subject generally to the authority of the landholder, so far as is consistent with the execution of the zilla magistrate's orders.

Village police establishments within the landholder's local jurisdiction act as elsewhere.

SECTION VI.—The duties of police in the several villages comprised within the landholder's jurisdiction shall be performed by their respective police establishments, the head of each village and other village officers exercising, under the control and superintendence of the landholder and zilla magistrate, the same authority, and performing the same functions, respectively, as such officers do in other parts of the zilla; and it shall be the duty of the zilla magistrate to cause the landholder to be informed of the provisions of the general Regulations on these subjects, and to enjoin him to see that they are conformed to within the limits of his jurisdiction.

Magisterial and police duties of the landholder,

SECTION VII.—*Clause* 1*st.*—It shall be the duty of the landholder, with the means at his command, to maintain the public peace throughout his jurisdiction, to apprehend public offenders, to try and to punish offences according to the authority conferred on him by his sunnud, to execute the orders of the zilla magistrate, and to keep the district police officers in the neighbourhood, and the zilla magistrate, well informed of all matters relative to the public peace and tranquillity which it may import them respectively to know.

his power to punish misconduct on the part of his subordinate agents.

Clause 2*d.*—The landholder is empowered to punish all neglects of duty in the police authorities and officers under his control to the extent to which he is authorized to award punishment for criminal offences.

Clause

to summon and apprehend witnesses and others,

search for stolen property,

punish contempts,

Clause 3d.—The landholder shall have authority to compel the attendance of witnesses and others in obedience to his summons, to make search for stolen property under the restriction that dwelling houses shall not, without urgent necessity, be searched from sunset to sunrise, and to punish contempts of his authority or disrespect by an adequate measure of personal restraint within the limits of the powers conferred on him.

and when requisite take security,

Clause 4th.—He shall also have authority to take the security of persons whom he may consider objects of suspicion, but no person shall from failure to furnish security be subjected by the landholder to a longer period of restraint than the landholder is authorized to adjudge as punishment, but if security be not furnished at the expiration of that period the prisoner shall be forwarded to the zilla magistrate, by whom such order shall be passed in conformity with the Regulations as the case may require.

the prisoner after an interval being sent to the zilla magistrate.

The landholder's penal cognizance ends in three months.

SECTION VIII.—No offence whatever shall be punished by the landholder which shall have been committed three months before the complaint was made.

General rules of the landholder's procedure:

SECTION IX.—The examination and trial of persons charged with offences shall be conducted by the landholder in conformity to the leading rules in the general regulations; neither terror nor violence shall be employed to produce a confession on the part of the accused, written evidence shall be read in his presence, oral evidence shall be in like manner delivered by the deponent, whom he shall be allowed to cross examine; and such witnesses also as he may name on his defence shall be made to attend on his trial, and all written and oral evidence on his part shall be received and recorded in the same way as the evidence on the part of the prosecution.

his record.

SECTION X.—The landholder shall in all cases of punishment

ment awarded by him keep a record which shall specify the name of the offender, the offence of which he was convicted, and the punishment: and whenever the punishment shall exceed a fine of three (3) rupees, or ordinary confinement for five (5) days, or confinement in the stocks for six (6) hours, the whole of the proceedings shall further be recorded, and the records in both cases, or extracts therefrom, as may be required, together with all papers having connexion with the subject, shall be open at all times to the inspection of the zilla magistrate.

Convicts sentenced by the landholder to imprisonment to be sent to the Zilla Magistrate,

who will consider the case,

and pass such sentence as may be requisite.

SECTION XI.—When a convict who has been sentenced by the landholder to imprisonment is transmitted by him to the zilla magistrate to undergo his punishment, the landholder shall also forward the whole of the proceedings and original papers in the case to the zilla magistrate, who after duly considering the same, and if requisite, calling for further information, or summoning and examining witnesses, shall confirm the sentence passed by the landholder, or pass such other as he may consider more suitable to the case being within the limits of his jurisdiction.

Serious offenders to be sent to the magistrate,

SECTION XII.—*Clause 1st.*—If a person charged with having committed an offence of a more serious nature than the landholder is authorized to try be apprehended within his jurisdiction, the landholder shall, after taking his examination, and the depositions of such witnesses as have attended, forward the prisoner and witnesses and the papers of the case to the zilla magistrate.

within sixty hours,

or with explanation of any further delay.

Clause 2d.—No prisoner apprehended for transmission to the zilla magistrate shall be detained by the landholder for a longer period than sixty (60) hours without urgent necessity, and in that case a statement of the delay and of the cause of it shall be forwarded at the end of the specified period of sixty (60) hours, to the zilla magistrate.

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SECTION XIII.—*Clause* 1*st.*—The Governor in Council may, after receiving a report from the zilla magistrate or other higher authority in the department of criminal justice, direct that a landholder be deprived of his police authority, and that the lands over which it extended be placed under the ordinary administration of police.

Government may if it be found requisite deprive a landholder of his police jurisdiction,

Clause 2*d.*—The zilla magistrate, on receiving the orders of Government to divest the landholder of his police charge, shall cause a proclamation to that effect to be published throughout the districts concerned, and the authority of the landholder as head of the police within such districts shall cease from the date of such proclamation.

which will then be annulled by proclamation by the zilla magistrate.

CHAPTER II.

OF THE MODE OF PROCEDURE TO BE FOLLOWED IN CRIMINAL MATTERS IN REGARD TO LANDHOLDERS INVESTED WITH POLICE AUTHORITY UNDER THIS REGULATION.

SECTION XIV.—The Governor in Council, with the view of rendering certain landholders amenable, as far as practicable, for offences to his immediate authority alone, reserves to himself the power of announcing by communication to the requisite public officers and to the landholders concerned, and also by proclamation, the particular jurisdiction and procedure to which they will be subjected in criminal matters; but, if such special directions be not issued, the succeeding provisions of this Regulation shall constitute the law upon that subject.

Exception of special cases duly notified from the operation of the succeeding rules.

SECTION XV.—*Clause* 1*st.*—The zilla magistrate shall receive and hear all complaints against the landholder, provided, however, that it shall not be incumbent upon the zilla magistrate to investigate the subject of any complaint against a landholder in his character as head of the police, which shall

The magistrate to hear and investigate charges against the landholder,

but with reservation if it

regards his police duties:

shall not bear upon the face of it appearance of probability that injustice has been done to such an extent, as to call for his notice and intervention.

power of the magistrate as to punishing the landholder.

Clause 2d.—The zilla magistrate's power in regard to punishing offences committed by the landholder shall extend to ordinary imprisonment for a period not exceeding one year, and fine according to the Regulations: offences committed by the landholder, which cannot be adequately punished under the preceding rule, shall be tried by the Court of Circuit, or a Special Court, as the nature of the case may require, the zilla magistrate committing the landholder for trial under the rules contained in Regulation XII. A. D. 1827, Section XIII. Clause *3d.*

On complaint made against the landholder, the zilla magistrate to require him by letter to attend,

SECTION XVI.—*Clause 1st.*—When a complaint has been entertained against a landholder, the zilla magistrate shall address a sealed communication to him, giving notice of the accusation, and calling upon him to attend with such proof as he may have to produce at his office on a specified day to answer to the charge:

or leave his attendance optional:

Clause 2d.—Or he may, at his discretion, specify it to be at the option of the landholder to attend at the investigation in person or by vakeel:

though if necessary he may cause him to be apprehended.

Clause 3d.—Provided always, that if the zilla magistrate should deem it probable that the landholder will abscond, he shall in such case cause him to be apprehended by warrant and held to bail or confined under the general regulations.

The order in the case to be communicated to the landholder if he were not present.

SECTION XVII.—If the landholder shall not have been present at the investigation, a copy of the order passed upon the case shall be delivered to any person who may have attended for him, and if no person shall have attended, shall be forwarded under a cover to the landholder.

SECTION

A. D. 1827. REGULATION XV.

SECTION XVIII,—The trial of a landholder by the Court of Circuit or by a Special Court shall be subject in all respects to the rules contained in the general regulations, except that it may, if the Court shall see fit, be conducted privately, provided always, that no one be excluded whom the landholder should wish to be present: any form of courtesy and consideration due to the rank of the accused shall also be observed.

The trial of a landholder by the Court of Circuit and Special Court may be conducted privately if he wishes it;

and forms of courtesy will be observed.

SECTION XIX.—Abuse of power, denial of justice, or other similar offences on the part of the landholder, proceeding from an unfaithful discharge of his official duties, shall be punishable criminally with fine and imprisonment not exceeding five (5) years.

Breaches of duty by landholders how punishable.

SECTION XX.—The rules contained in Section XV Clause 2d, and in Sections XVI, XVII, and XVIII, shall be applicable to the landholder's relatives residing with him, and under his protection.

Certain relatives of landholders are open to their privileges.

APPENDIX A.

Form of Sunnud vesting a landholder with police jurisdiction under the provisions of Regulation XV. A. D. 1827.

(Seal.) The Governor in Council, (or Zilla Magistrate of ———) reposing confidence in the integrity, discretion, zeal, and good faith of (here enter the landholder's name and title) hereby places him, under the provisions of Regulation XV. A. D. 1827, in charge of the police in (here specify the tract of country concerned) within the zilla of ————, with powers to try offences such as (here enter as minute an enumeration of the offences punishable by the landholder as can conveniently be made) and to adjudge punishments not exceeding (here specify the limitation of punishment). It is the duty of the said ———— to superintend the correct discharge of their duties by the officers of village

village police in the several villages comprised within the limits of his police charge, and by means of the police officers and servants under his control to maintain the public peace, to apprehend all public offenders, to execute the orders of the zilla magistrate, and to keep him and the police officers stationed in the vicinity of his jurisdiction well informed of the appearance of plunderers, or other public offenders within or near his jurisdiction, of threatened inroads or attacks, and of all matters whatever, which it may import them in the discharge of their public duties to know, and to maintain, and to cause all police officers under his control to maintain a strict observance of the provisions of Regulation XV. A. D. 1827, and of all other rules and orders to which he may be specially directed to conform by the zilla magistrate.

(Signed) A. B.
Secretary to Government
in the Judicial Department,
or *Zilla Magistrate.*

BOMBAY CASTLE,
or ZILLA MAGISTRATE'S OFFICE,
18—.

(Revenue Branch.)

A. D. 1827. REGULATION XVI.

A REGULATION *defining the duties of the Collector, and his power in regard to subordinate revenue officers, and providing rules for the guidance of land revenue officers in general throughout the territories subordinate to Bombay.*—PASSED *by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Saibahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.*

Consisting of three (3) Chapters, as below :

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Of the appointment and duties of the Collector and his Assistants*.....	I.
II.	*Of native Collectors of districts, and other native officers on the regular establishment of the Collector*.....	IX.
III.	*Of hereditary district and village officers, inclusive of village accountants*.....	XVII.

(Revenue Branch.)

REGULATION XVI. A. D. 1827.

A REGULATION *defining the duties of the Collector, and his power in regard to subordinate revenue officers, and providing rules for the guidance of land revenue officers in general throughout the territories subordinate to Bombay.*—PASSED *by the Governor in Council on the 1st January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramaject Era* 1883, *Salbahan* 1748, *and 2d Jummadyool-akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is essential to a correct knowledge and observance of the principles of revenue administration, that the duties of Collector should be fully defined, that the appointment, suspension and dismissal of all native servants and European clerks on his establishment should be vested under certain restrictions in the Collector; that the prohibitory enactments of the law in regard to revenue officers, and the penalties attendant on the breach of them should be distinctly recorded, and that provision should be made for the efficient discharge of the duties attached to the situations of hereditary district and village officers and servants, the following rules have been enacted to have effect throughout the zillas subordinate to Bombay from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER

REGULATION XVI. A. D. 1827.

CHAPTER I.

OF THE APPOINTMENT AND DUTIES OF THE COLLECTOR AND HIS ASSISTANTS.

Appointment of the collector:

SECTION I.—There shall be a Collector appointed to each zilla, or such other division of territory as the Governor in Council may determine, and he shall act according to the instructions of Government in all matters not specifically provided for in a Regulation.

his duty to collect the revenue,

punish over exactions,

SECTION II.—*Clause 1st.*—It shall be the duty of the Collector to assess and collect the several descriptions of public revenue entrusted to his management (when there is no specific enactment for his guidance) according to the established usage; but revenue demands, of whatever kind, shall be enforced, and all undue exactions shall be punishable, according to the rules contained in Regulation XVII A. D. 1827 Chapters III and IV.

and try certain suits and land revenue exemptions:

Clause 2d.—The Collector shall further decide certain civil suits, and try claims to exemption from the payment of land revenue, as more particularly specified in Regulation XVII A. D. 1827 Chapters VIII and X.

his oath,

SECTION III.—*Clause 1st.*—Previous to entering on the duties of his office, the Collector shall take the oath prescribed by 33d George III Chapter 52 Section 61 as contained in Appendix A to this Regulation.

where to be taken:

Clause 2d.—The oath shall be taken either before His Majesty's Supreme Court of Judicature for Bombay, the Court of Suddur Adawlut, any Judge on Circuit in the zilla to which the Collector may be appointed, the Judge of that zilla, or such other person as may be deputed or authorized to administer it by any order of the Governor in Council.

Clause

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Clause 3d.—One copy of such oath shall be recorded in the Civil Court of the zilla to which the Collector is appointed, and another shall be transmitted to the Governor in Council for his information.

a copy to be recorded in the zilla court and another to be sent to Government;

SECTION IV.—*Clause 1st.*—Each Collector shall use a circular seal, one inch and three quarters in diameter, bearing the following inscription in English, and in the language and character most generally used in the Collectorship viz. "*The Collector* of——."

his seal;

Clause 2d.—The seal shall remain in the custody of the Collector.

where to remain:

SECTION V.—Each Collector shall have so many assistants as the Governor in Council may deem it expedient to appoint; they shall be called "*First*," "*Second*" &c. as may be expressed in the order of appointment; they shall, previously to executing the functions of their office, take before the Collector, or before any of the authorities enumerated in Section III Clause 2d, the oath specified in Clause 1st of that Section; they shall perform such duties as the Collector may assign to them, and shall use his seal.

appointment of assistants;

their oaths and duties.

SECTION VI.—*Clause 1st.*—All Collectors of the revenue, their assistants, and native officers, shall, with respect to acts done by them in their official capacities, be subject to the jurisdiction of the zilla Civil Court:

Collectors and other revenue officers how amenable to the zilla court,

Clause 2d.—And the Governor in Council, when acts unauthorised by the regulations appear to have been done wilfully, or from gross ignorance or neglect, may in passing the Collector's accounts, check the costs and damages incurred in any suit on account of such acts.

and when liable to pay costs and damages:

SECTION VII.—*Clause 1st.*—No Collector or Assistant Collector

collectors and assistants

to confine their public and private servants to their respective duties:

lector shall employ any public servants in his private affairs, nor any private servants in his public duties:

prohibitions against collectors and assistants holding farms or being privately concerned in the revenue,

Clause 2d.—No Collector or Assistant to a Collector shall hold directly or indirectly any farm, or be concerned on his private account in the collection or payment of the revenue:

and against their being engaged in trade:

Clause 3d.—No Collector or Assistant to a Collector shall directly or indirectly carry on any trade, nor be concerned in any commercial transaction whatever, either as principal or agent, and this rule is declared to include a prohibition to purchase directly or indirectly any goods or commodities for the purpose of remitting money to Europe or elsewhere:

penalties of disobedience:

Clause 4th.—The Governor in Council after inquiry, either before himself or by a commission to be instituted for the purpose, will suspend or dismiss all officers guilty of any breach of the enactments in this section.

a collector leaving his office, to transfer it to the highest assistant present,

SECTION VIII.—*Clause 1st.*—When a Collector resigns or is removed from his office, or when he quits his Collectorate or his office on leave, or is obliged to leave it from ill health, or from any other cause, he shall make over his office to his assistant of highest rank on the spot, unless other provision has been made by Government, and such assistant shall, until the arrival of orders from Government or a successor to the Collector, perform all the functions of Collector.

and report to Government:

Clause 2d.—A Collector on his quitting his station from any cause whatever shall report to the Governor in Council the date on which he made over charge of his office to his successor or assistant.

on the death of a collector the highest

Clause 3d.—On the death of a Collector, or, in the event of his being by any other cause prevented from making over charge

as directed in clause 1st of this Section, on his ceasing to discharge the functions of his office, the assistant of highest rank actually in the zilla shall in like manner perform the duties of his Collector, till the receipt of the orders of Government or the arrival of a successor to the Collector.

assistant present to take charge of the office.

CHAPTER II.

OF NATIVE COLLECTORS OF DISTRICTS AND OTHER NATIVE OFFICERS ON THE REGULAR ESTABLISHMENT OF THE COLLECTOR.

SECTION IX.—*Clause 1st.*—The appointment, suspension and dismissal of all native servants and European clerks on the establishment of the Collector are, under the general control of Government, vested in the Collector, who shall further have authority to punish them for misconduct and neglect of duty, by imposing a forfeiture not exceeding two months' pay, and to levy the same in the mode authorized for realizing revenue demands:

Subordinate officers on the Collector's establishment how appointed, suspended and dismissed, and punishable by fine for misconduct:

Vide G. R. No. 6 of the 31 Oct to 18. Jons 1494 [illegible]

Clause 2d.—Provided, however, that whenever the Collector shall dismiss an officer on his establishment, who is in the receipt of a monthly salary amounting to thirty (30) Rupees, he shall record his reasons at length in the language of the country, and transmit to Government an English translation of such record.

but in certain cases the collector's reasons must be recorded and reported:

Clause 3d.—When any officer of the Collector is subjected to a criminal prosecution, either at the instance of the Collector or any other person, the Collector may suspend him, pending such prosecution:

an officer subjected to a criminal prosecution may be suspended,

Clause 4th.—At the close of the prosecution, the Collector shall, on consideration of all the circumstances brought to light during the trial, be at liberty to dismiss or suspend the person tried, whether he may have been found guilty or acquitted:

and subsequently dismissed.

Clause

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a report being made to Government in certain cases :

Clause 5th.—But if the proceedings relate to an officer in the receipt of a monthly salary amounting to thirty (30) Rupees, the Collector shall in the case of dismission report the same, with the reasons thereof, to the Governor in Council:

decision of Government how regulated :

Clause 6th.—And the Governor in Council shall in all cases of suspension or dismissal by a Collector, have the power to confirm, mitigate or annul such punishment, and, when the dismissal of an officer is confirmed, may further declare him incapable of again serving the Government.

komavisdars and others to hold no appointment not under the collector or zilla magistrate :

SECTION X.—No Komavisdar, or other native officer on the establishment of a Collector, shall hold any appointment, except such as may be on the establishment of the Collector or zilla magistrate.

certain revenue officers and others prohibited from being privately concerned in the revenue :

SECTION XI.—*Clause 1st.*—No Komavisdar, or other head native revenue officer in any district, and no relative of such officer, shall hold directly or indirectly any farm, or be concerned on his private account in the collection of the revenue of any lands within such district.

Cash keeper and others prohibited from using the public money, engaging in trade, and receiving presents :

Clause 2d.—No Cashkeeper, Komavisdar, or other native officer, however designated, who may be entrusted with the charge or collection of the public money, shall make use of such money either for his own advantage, or for that of any other individual, or carry on trade, or be concerned in any commercial transaction whatever, either as principal or agent, or shall receive a nuzzur or present of any amount or description:

penalty enforced criminally :

Clause 3d.—And breach of any of the provisions of the foregoing clauses of this section shall be deemed a criminal offence, and shall be punished by fine and imprisonment, provided that the period of imprisonment, both as punishment and as commutation for fine, shall not exceed seven (7) years:

Clause

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extension in these cases of the jurisdiction of the magistrate and of that of the criminal Judge without reference :

Clause 4th.—The penal jurisdiction of the Collector as Magistrate, in the cognizance of the offences specified in the preceding clauses of this section, shall extend to imprisonment for the period of three (3) years inclusive of the commutation for fine : the absolute jurisdiction of the criminal Judge shall in the said cases extend in like manner to imprisonment for five (5) years : sentences of imprisonment for a longer period passed by the criminal Judge whose jurisdiction under Regulation XIII A. D. 1827 section XIII extends to seven (7) years, shall be referred with the cases to the Suddur Foujdaree Adawlut, according to the rules contained in clause 2d of the said section.

a civil suit may also be instituted :

Clause 5th.—Nothing contained in the preceding clauses shall be held to bar the person of whom a present has been received, in violation of the provisions of clause 2d of this section, from recovering the amount by suit in the civil Court.

the collector may take the security of certain officers .

SECTION XII.—*Clause 1st.*—The Collector may, if he should deem it expedient, take security for the personal appearance of all native officers on his establishment entrusted with the receipt, payment or custody of public money, or the charge of public papers or accounts :

form of the security :

Clause 2d.—The security bond shall be in the form contained in Appendix B:

new security when exigible,

Clause 3d.—The Collector may require a new surety from any public officer employed by him, if he considers that those previously accepted, whether by himself or his predecessors, are insufficient: and, in case of the said officer failing to give such security one month after it is required, the Collector may suspend or dismiss him.

and consequence of failure to furnish it :

a surety not producing the principal may be proceeded

SECTION XIII.—*Clause 1st.*—In case the surety shall not when called upon produce the officer for whom he has become security,

against in the same way as the principal:

security, he shall be answerable for all demands that the Collector may have against the officer, for public money, papers or accounts; and be liable to be proceeded against, until the officer is produced or apprehended, in the same manner as the officer himself, had he been forthcoming:

but must be liberated when the officer is produced, though money levied will not be returned.

Clause 2d.—As soon as the officer is produced or apprehended, the surety shall be set at liberty, but he shall not be entitled to recover back from the Collector, any sums of money which may have previously been levied from, or paid by him.

Demands for money or papers to be made known by writing by the collector to the officer concerned,

SECTION XIV.—*Clause 1st.*—The Collector, in all cases in which he may have a claim on any native officer upon his establishment, for public money or papers, shall, by writing under his official seal and signature, require the money or the particular papers detained, to be delivered either immediately to the person bearing the said writing, or to such person, on such date, and at such place as the writing may specify:

who may be arrested, if he does not deliver them, and confined *in jail:*

Clause 2d.—If the officer shall not discharge the money or deliver up the papers as directed, the Collector may cause him to be apprehended, and may send him to the Judge to be confined *in the zilla jail, till he discharges the* sum or delivers up the papers demanded from him:

his property also may be attached and his moveable property sold,

Clause 3d.—The Collector may also attach and sell his property, whether moveable or immoveable, and whether in his own or other zillas, in the same way, and under the same rules, as are prescribed for attachment and sale of the moveable property of defaulters for revenue demands; provided that no immoveable property shall be sold without the sanction of Government:

but not his immoveable property without orders from Government:

and the collector shall not in any event be liable in damages.

Clause 4th.—And if a native officer should not have been found, or should have failed to attend when called on, and

it should thereafter appear in any action before a competent Court, that a part only, or that no part whatever of the sum demanded, was due from the officer so absconding, or that he was not in possession of the papers required from him, the Collector shall not be liable to any damages for having confined him or his surety, or to any costs of suit.

An officer or surety in jail may by furnishing certain security obtain his enlargement:

SECTION XV.—*Clause* 1*st*.—If an officer or his surety, against whom a demand is made, shall give, before the Collector or Judge, sufficient security, that he will either institute a suit in Court in fifteen (15) days against the Collector to try the demand, and will pay the sum decreed against him, together with the costs and interest so decreed, or that, in case of his failing so to institute such suit, he will when required pay the amount demanded, the Collector or Judge shall cause such officer or surety, if in custody, to be liberated, and countermand the sale of any property that may have been attached, and restore it to the owner:

and shall be entitled to have any petition duly transmitted to Government:

Clause 2*d*.—And any such officer or surety, if in custody, may transmit a representation of his case to the Governor in Council, through the Judge, who shall be bound to forward the same.

the security ends with the life of the officer,

SECTION XVI.—In case of the death of an officer who may have given security according to this Regulation, the surety shall be discharged from all responsibility, except in matters and for sums which may already have been demanded to be made good by the surety, but the heirs of the deceased officer shall be liable by suit in the civil Court for any claims which Government may have against the deceased, in the same way as they would be for similar claims made by an individual.

whose heirs are liable according to law.

REGULATION XVI. A. D. 1827.

CHAPTER III.

OF HEREDITARY DISTRICT AND VILLAGE OFFICERS, INCLUSIVE OF VILLAGE ACCOUNTANTS.

Hereditary district and village officers liable to suspension for neglect of duty:

SECTION XVII.—*Clause* 1*st.*—The hereditary district officers, and the village officers and servants shall, each in his station, render the usual services of his office, as far as the same may be required by the Collector, under the penalty of suspension from office, pay and emolument:

and to dismission on investigation made and report to Government:

Clause 2*d.*—They shall further be liable to dismission from office, but no such dismission shall take place, except on an investigation recorded in writing; and further, the dismission shall be reported, with the reasons thereof, by the Collector to Government:

Authority for conducting such investigation:

Clause 3*d.*—In conducting the investigation prescribed in the preceding clause the Collector shall have the same authority to examine witnesses on oath as he possesses as magistrate, and refusal to give evidence, prevarication and perjury shall be punishable alike in both cases.

If rotation prevails the period of service may be made three years or the sharers may elect a permanent officer:

Clause 4*th.*—If the duties of the office are performed in rotation by several sharers, it shall be competent to the Collector to enforce an arrangement by which each officiator shall, unless dismissed by the Collector, continue in office for three (3) years; or the sharers may at their option select one of their number to be constituted, with the Collector's sanction, the hereditary officer.

A deputy to an hereditary district officer when and how appointed and subject to what rules:

SECTION XVIII.—If any hereditary district officer is incapable of personally discharging the duties of his office from minority, or bodily or mental infirmity, it shall be competent to him, or to his guardians, to appoint a deputy, and such deputy so appointed shall be subject to the same rules as the principal.

SECTION

A. D. 1827. REGULATION XVI.

Emoluments of hereditary offices to be recorded in a book,

SECTION XIX.—*Clause 1st.*—It shall be the duty of Collectors to record in a book to be kept for that purpose, the land and allowances attached to hereditary district or village offices:

specifying all particulars:

Clause 2d.—The record shall specify the extent and value of the lands, and the different sources from which the allowances are received, whether from land, ready money, fees or other perquisites, from villages and trades, or from the treasury of Government, with their amount, and in each case, as far as possible, the origin and duration of such allowances.

official allowances derived by a sole officiator remain with the office:

SECTION XX.—*Clause 1st.*—The allowances so derived by a sole proprietor or occupant of a hereditary district or village revenue office, shall in future be considered strictly as the official remuneration of the person filling the office, and as such shall not be subject to alienation by any incumbent:

derived by a co-sharer remain with the family, and on reverting to a sole officiator remain with the office:

Clause 2d.—Official emoluments enjoyed by a co-sharer of any hereditary district or village revenue office shall not leave the family in which the office is vested; and, if they revert to a sole proprietor or occupant of the office, they shall thenceforth follow the provisions of the preceding clause.

special rules regarding the duties of village accountants:

SECTION XXI.—And whereas the great importance of the office of village accountant to the ascertainment and preservation of the interests both of Government and its subjects renders it necessary that special rules should be framed, with the view of defining the duties of that situation, and providing for their efficient discharge, it is hereby enacted, that the said duties, as described in the succeeding sections of this Regulation, shall be performed by the hereditary village accountant, if there be one, under the rules applicable to hereditary village officers; and, if there be no such person, the Collector may, with the sanction of Government, appoint a person to be village accountant, who shall hold his situation under the rules in force with regard to the officers of the Collector's regular establishment.

to be performed by the hereditary officer if there is one,

otherwise by an appointed officer:

SECTION

REGULATION XVI. A. D. 1827.

accounts, registers and other documents to be kept by the village accountant:

SECTION XXII.—*Clause 1st.*—It shall be the duty of the village accountant to frame and keep, according to the directions of the Collector, the following documents, or such of them as the Collector may desire, viz. the revenue accounts of the village, which shall be kept in such a form to be established by the Collector as may afford to each cultivator an intelligible statement of his account; registers of all the lands of the village exhibiting such particulars as may be required regarding each respective field or garden, the occupant thereof, its tenure, its produce, the nature and extent of the assessment which it pays, the nature and extent of any exemption from the payment of revenue which is enjoyed, and the ground of the same; also registers of grants and sunnuds on which such exemption is enjoyed or claimed; also registers of fruit and timber trees, bearing a specification of the respective rights of Government and individuals; also registers of miscellaneous taxes, of the emoluments of district and village officers, the prices of grain in the village at various periods; and generally, to procure and record any information connected with the resources of the village which the Collector may require:

Copies to whom to be furnished:

Clause 2d.—Copies of the accounts and registers framed and kept by the village accountant shall, according to the orders which he may receive from the Collector, be furnished by him to the Collector, to the Komavisdar, hereditary district officer, or other person appointed by the Collector to receive them.

Forms of all documents to be kept open to public inspection, under penalty:

SECTION XXIII.—*Clause 1st.*—Forms of all accounts and registers framed by the village accountant descriptive of their respective contents, shall be kept constantly exposed to view by the village accountant at his residence, under pain, should he fail to do so, of punishment by the Collector for neglect of duty, as a hereditary or appointed officer, as the case may be:

Accounts &c. not to be removed from-

Clause 2d.—The village accounts and registers shall not be removed

removed from the village, unless with the permission of the Collector, but they may, without being taken from the custody of the village accountant, be inspected and copied, as well by the officers of Government, as by any person interested therein, and the Collector upon application shall authenticate copies so taken, provided that they be upon the stamped paper specified in Appendix F to Regulation XVIII A. D. 1827.

the village without due authority.

but they may be inspected and copied,

and copies will be authenticated.

SECTION XXIV.—*Clause 1st.*—It shall be lawful for the village accountant to enter upon, and inspect, as may be necessary, all the lands of the village, for the purpose of procuring the information required of him by the Collector, and to require all persons to furnish such information, so far as they may be respectively concerned, and it shall be the duty of the head of the village to prevent obstruction to the village accountant in the discharge of his duty, and to procure the attendance of persons, when required before him, in the same way, as before himself in police matters:

authority conferred on the village accountant to enter on and examine lands:

and to require information;

receiving assistance from the Patell, who will cause witnesses to attend:

Clause 2d.—If a person, whose attendance is required under the preceding clause, is not to be found in the village, the head of the village shall report the case to the Collector for his orders.

and if they are absent report the circumstance.

SECTION XXV.—*Clause 1st.*—The village accountant shall have no authority to disallow any existing exemption from the payment of the land revenue:

The accountant cannot annul an exemption from revenue:

Clause 2d.—But if a person enjoying such exemption under a written deed does not, when called upon, produce such deed for registry, the village accountant shall, if the Collector shall afford his sanction to the measure, enter the land as liable to assessment in the same way as if there were no title to exemption, and such land shall be assessed to the revenue accordingly:

but if it rests on a deed which is not produced may under authority register the land as liable to pay revenue:

and it shall be so liable

Clause 3d.—Provided, however, that such assessment shall cease at any time, when the holder shall register his deed,

until the deed is produced:

but

when the claim will be examined:

but without prejudice to the right of the Collector to proceed against the holder according to the Regulations, if he deems the title to exemption insufficient.

deeds produced shall be registered by the accountant and returned:

Clause 4th.—When a grant or sunnud has been registered by the village accountant, he shall endorse thereon the day on which it was registered and the number of the page in the register in which it is entered, after which he shall attest the endorsement with his signature, and return the grant or sunnud to the person who presented it,

duties of the accountant as penman of the village:

SECTION XXVI.—It shall be the duty of the village accountant, whenever called upon by the head of the village or by the native revenue or police officer of the district, to prepare all writings connected with the concerns of the village which are required either for the use of Government or the public, such as notices, reports of inquests and depositions and examinations in criminal matters, as well as to draw up deeds of reference, awards and other papers in matters referred to arbitrators as required by Regulation VII A. D. 1827 Section IV Clause 3d.

Fraud in village accountants punishable as a criminal offence:

SECTION XXVII.—*Clause 1st.*—A village accountant, who, with a fraudulent intention, makes a false entry in any of his accounts, or registers, erases or alters any entry therein, or is guilty of any other act of fraud in the exercise of his official functions, shall be deemed guilty of a criminal offence, and shall be punishable with fine and imprisonment, not exceeding as punishment and commutation the period of five (5) years.

as also receipt of presents:

Clause 2d.—The receipt of any present or valuable consideration by a village accountant shall likewise be punishable as specified in the preceding clause.

and a civil suit may also be instituted:

Clause 3d.—In the cognizance of the offences specified in the two preceding clauses the penal jurisdiction of the magistrate and

and the criminal Judge shall be the same as recited in Section XI Clause 4th, and the criminal proceedings authorized under this section shall be no bar to the institution of an action for damages against the village accountant by any party injured.

APPENDIX A.

Form of oath prescribed by act of Parliament for an officer of revenue.

I. A. B. do promise and swear, that I will, to the utmost of my endeavour, well and faithfully execute and discharge the duties of an officer of revenue reposed in and committed to me by the United Company of Merchants of England trading to the East Indies, and that I will not demand, take or accept, directly or indirectly, by myself or by any other person, for my use or on my behalf, of or from any Rajah, Zemindar, Talookdar, Polygar, Farmer, Renter or Ryut, or from any tribute, rent, or tax to or for the use of the said United Company, any sum of money or other valuable thing by way of gift, present, or otherwise, over and above or besides and except the actual tribute, rent or tax authorized to be taken by and for the use of the said United Company, and that I will justly and truly account for, answer, and pay all the rents, duties and other revenues and sums of money, which shall come to any hands or to the hands of any person or persons in trust for, or employed by me as an officer of the revenues of the said Company, unto the said United Company.

So help me God.

APPENDIX B.

Form of security bond, to be passed by a surety for a native revenue officer.

I. A. B. do hereby become security for the personal appearance of C. D. holder of the office of —— in the Collectorship

torship of —— if required by the Collector, and in failure thereof I shall be responsible for all demands that the said Collector may have against the said C. D. for public money, public papers, or accounts, and be liable to be proceeded against until the officer is produced in the same manner in all respects as the officer himself, had he been forthcoming.

Executed this —— day of —— in the year of —— in the presence of the following witnesses.

E. T.
G. H. } Witnesses. (Signed) *By the Surety.*

(Revenue Branch.)

A. D. 1827. REGULATION XVII.

A REGULATION *for the territories subordinate to Bombay, prescribing rules for the assessment and realization of the land revenue, defining the relative rights, in the land and its produce, of the Government and the subject, of the superior holder and the tenant; vesting the Collector with judicial powers in cases regarding land and its rent and produce, and declaring the circumstances under which exemption from the payment of land revenue is to be enjoyed.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of ten (10) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Rules regarding assessment concluded direct by the revenue officers of Government, and descriptive of the relative rights of Government and the occupant of land..*	I.
II.	*Of precautionary measures for the security of the land revenue.....*	XI.
III.	*Of the realization of the revenue by distraint of the person and property of the defaulter.....*	XII.
IV.	*Rules for the security of the ryot by means of the regularity and publicity of village accounts, penalties attached to undue exactions, and penal jurisdictions of the Zilla Magistrate and Criminal Judge in such cases.....*	XV.
V.	*Of the responsibility and authority of Komavisdars and heads of villages for the realization of the revenue.....*	XVII.
VI.	*Of farmers and of their power and responsibility.... ....*	XX.
VII.	*Of the powers and responsibility of superior holders of land in respect to the realization of the rent of their lands and to the payment of revenue due therefrom....*	XXIX.

Of

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
VIII.	*Of the Civil Jurisdiction of the Collector in the adjustment of the respective rights of parties in cases which relate to land and its rent and produce*.....	XXXI
IX.	*Of titles to exemption from the payment of land revenue*.....	XXXV.
X.	*Rules for examining and deciding upon claims to exemption from the payment of land revenue, and for discontinuing such exemptions when not duly established*.....	XL.

(Revenue Branch.)

REGULATION XVII. A. D. 1827.

A REGULATION *for the territories subordinate to Bombay, prescribing rules for the assessment and realization of the land revenue, defining the relative rights, in the land and its produce, of the Government and the subject, of the superior holder and the tenant; vesting the Collector with judicial powers in cases regarding land and its rent and produce, and declaring the circumstances under which exemption from the payment of land revenue is to be enjoyed.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is expedient, with a view to the protection of the rights of the state and of individuals, that the principles on which the public revenue is assessed, and its realization secured and effected, should be made known; that authorized receipts on account of revenue should be regularly and correctly recorded, and unauthorized exactions promptly punished; that the powers and responsibility of subordinate revenue officers, of farmers and of superior holders of land, should be defined; that the Collector should be vested with civil jurisdiction in the cognizance of cases which relate to land and its rent and produce;

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produce; that the titles held to confer a right, except in times of exigency, to entire or partial exemption from the payment of revenue should be declared, and a mode provided for trying the title to exemption enjoyed when such title is deemed insufficient by the Revenue Officers, the following rules have therefore been enacted to have effect throughout the territories subordinate to Bombay from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER I.

RULES REGARDING ASSESSMENT CONCLUDED DIRECT BY THE REVENUE OFFICERS OF GOVERNMENT, AND DESCRIPTIVE OF THE RELATIVE RIGHTS OF GOVERNMENT AND THE OCCUPANT OF LAND.

The settlement of the assessment to be concluded by the collector and the officers of his establishment;

SECTION I.—*Clause 1st.*—The settlement of the assessment in each zilla shall be conducted by the Collector and the officers of his establishment acting under his orders according to the rules hereafter specified in this Chapter

heads of villages employed ministerially how far responsible for the revenue.

Clause 2d.—Heads of villages employed hereditarily or otherwise in the assessment of the revenue, but having no proprietary right over the land assessed, will be responsible, to such extent as may be consistent with the custom of the country and with their agreement with the Collector, for the revenue of their respective villages.

All land liable to pay revenue according to its kind,

SECTION II.—*Clause 1st.*—All land, whether applied to agricultural or other purposes, shall be liable to the payment of land revenue to Government, according to the established principles which govern the assessment of that description of land to which it belongs, except such as may be proved to be either wholly or partially exempt from the payment of land revenue, under any of the provisions contained in Chapters IX and X of this Regulation:

unless specially exempted:

Clause

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Clause 2d.—Provided, however, that nothing contained in the preceding clause or in the enactments therein cited shall be understood to affect the right of Government to assess to the public revenue all lands under whatever title they may be held, whenever and so long as the exigencies of the State may render such assessment necessary.

and special exemption may in case of necessity be overruled for a time.

SECTION III.—*Clause 1st.*—The settlement of the assessment shall be made with the occupant of the land: the cultivator, when the land is held direct by him from Government, is to be considered the occupant, and, when it is not so held, the person having the highest right or holding recognised by the custom of the country, or resting on specific grant, which intervenes between the Government and the cultivator, is to be so considered:

The settlement to be made with the occupant or highest holder,

Clause 2d.—If the occupant being a superior holder is absent, and has left no authorized agent, so that the settlement of the assessment cannot be concluded with him, such settlement may be made with the person holding directly under him.

or if he is absent and has left no agent, with the next holder:

SECTION IV.—*Clause 1st.*—When there is no right on the part of the occupant in limitation of the right of Government to assess, the assessment shall be fixed at the discretion of the Collector, subject to the control of Government:

if the right of assessment is unlimited, the collector fixes it under the control of Government;

Clause 2d.—When there is a right on the part of the occupant in limitation of the right of Government, in consequence of a specific limit to assessment having been established and preserved, the assessment shall not exceed such specific limit:

where there is a limit it must not be exceeded:

Clause 3d.—Nothing contained in the last preceding clause shall be understood to affect the right of Government, to institute by regulation, at any time when it may appear expedient, new and specific rules regarding assessment.

the right to fix new rates by regulation being nowise affected.

Clause

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excess of assessment may be laid on land inadequately assessed held by the person paying it.

Clause 4th.—When a larger revenue, under the name of "*veta*" or other local denomination, is under former practice assessable upon a portion of land, than according to general rule such land would otherwise pay, in consideration of other land enjoyed with it and not directly assessed or assessed below its value, such excess of assessment shall be placed upon the land which is enjoyed without being assessed, or which is assessed below its value.

The occupant is liable in person and property for the revenue,

SECTION V.—*Clause 1st.*—The occupant shall be liable in his person and property, according to the regulations, for the revenue of his land:

and if not paid by him it may be realized from the inferior holder, fair payments to the superior holder being allowed;

Clause 2d.—If the occupant being a superior holder shall not discharge the revenue due by him, it may be realized from the inferior holder, but such inferior holder shall receive credit for all payments to his superior holder not made in anticipation of the usual kists:

the crop also being liable for its revenue in preference to all other claims,

Clause 3d.—In all cases the revenue of the year, if not otherwise discharged, shall be recoverable, in preference to all other claims, from the crop of the land assessed.

Land may be thrown up on notice given

SECTION VI.—*Clause 1st.*—Any occupant may throw up his land and cease to pay the assessment, but he must give notice to the person authorized to receive the revenue, of such being his intention, previously to the Murgsal or commencement of the revenue year, or he will be liable for any loss in the revenue of that year occasioned by his abandonment of the land without due notice, and the amount of such loss shall further be fixed and levied by the Collector as an ordinary assessment.

exception in the case of a cess until the cess is fixed upon the land;

Clause 2d.—When a cess (*Veera* &c.) is paid by any class of people holding land exempt from the payment of revenue, the produce of the land being evidently the means of the payment

of

of the cess, no alienation of any part of such land without the Collector's sanction shall be valid: but if application be made by the persons paying the cess, the Collector shall cause such cess to be laid as a fixed assessment upon such portion of the land as he may judge to be adequate, and the remainder of the land shall thenceforward cease to be subject to any restriction on account of such commuted cess.

exception in the case of *veta* until its payment has been provided for.

Clause 3d.—If a person throw up land paying *veta* as described in Clause 4th Section IV, before the provisions of the said clause shall have been followed, he shall at the same time surrender the land held in conjunction with the said veta land; and if he throw up land, the road to which lies through land retained by him, such road shall continue open without entitling him to any abatement of revenue on that account.

Uncultivated land liable to pay revenue may be disposed of by the collector,

SECTION VII.—*Clause 1st.*—Uncultivated land not exempt from assessment may be disposed of with the Collector's sanction, for the benefit of the revenue:

all rights being respected:

Clause 2d.—Provided, however, that such disposal shall not in any way affect the claim to preference, the right of occupation, or any other rights, which individuals may have over such land, as the same may, when contested, be established in a Court of Justice.

reservation of the rights of shareholders of villages divided into shares,

SECTION VIII.—*Clause 1st.*—Nothing contained in any of the preceding sections shall be understoood to affect in any way the peculiarities of the tenure of shareholders of villages settling hereditarily and by right for the revenues of their villages in the gross, and thus possessing in some measure a proprietary right in the land of their villages: the said peculiarities shall be respected and preserved, whether they relate to the occupancy, disposal and assessment of the lands of the village, the collection of the revenue, and the joint liability of the shareholders,

holders, or to the intermediate steps prescribed by the terms of the tenure, and by local usage for the purpose of realizing the revenue, in case of non-payment, without destroying the tenure:

the land of which is however ultimately liable for the revenue,

Clause 2d.—Provided, however, that the land and its crop shall in these villages, as well as in others, be held to be ultimately liable for the revenue, and that when the shareholders fail to pay such revenue, and the intermediate steps in such cases prescribed by the tenure and local usage have been found inefficient, it shall be competent to the Collector to manage the said villages in the same way as others, and the lands of any such village shall then revert to the Government unaffected by the acts of the shareholders, or any of them, so far as the public revenue is concerned, but without prejudice in other respects to the rights of individuals.

and will by non payment eventually revert to government.

The collector's decision on questions arising out of the preceding rules to be in the first instance the rule,

SECTION IX.—*Clause 1st.*—The Collector's decision upon any question arising out of the provisions of the preceding sections shall, in the first instance, be obeyed and acted upon as the rule:

but any person may appeal to government by petition,

or file an action,

or do both:

Clause 2d.—But if any person should deem himself aggrieved by any such decision, he may either present to the Collector a petition addressed to Government praying for redress, or may file an action against the Collector in the Civil Court under the ordinary rules, or he may pursue both methods at the same time:

the collector shall forward any petition,

but the reference to government shall not affect the suit:

Clause 3d.—The Collector shall forward to Government, without delay, any petition presented to him under the preceding Clause, but the reference to Government shall have no effect upon any suit instituted in the Civil Court.

the collector or assistant in charge alone to decide on these questions.

Clause 4th.—No revenue officer except the Collector (permanent or acting) or an Assistant in charge of the Collector's duties shall exercise the authority conferred by the first Clause of this Section.

SECTION

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SECTION X.—The Collector shall cause notice to be given, either specially to the occupant of the land, or by public proclamation to be fixed up at the village chowra, of the respective periods at which the instalments of the revenue become due, and of the person to whom payment is to be made.

Notice of the periods &c. of revenue instalments how to be given.

CHAPTER II.

OF PRECAUTIONARY MEASURES FOR THE SECURITY OF THE LAND REVENUE.

SECTION XI.—*Clause* 1*st.*—No assessable crop, if the Collector shall so direct by a proclamation to be exposed to view in the village chowra one month before the usual time of reaping, shall be reaped, until notice in writing has been given to the Collector, or other person nominated by him for the purpose, and the said notice has been endorsed as an acknowledgment and returned as a voucher, and any person after such notice so given proved before the Collector to have reaped, or connived at the reaping of his crop, without such voucher, shall be liable to a fine, not exceeding half the current value of the crop reaped, to be fixed and levied by the Collector as an ordinary assessment:

Assessable crops, if the collector should duly so direct, must not be reaped without permission:

penalty:

Clause 2*d.*—And if the Collector shall so direct one month before reaping, no assessable crop shall be removed from the field wherein it has been reaped, or from any place wherein it may have been deposited by mutual consent of the Collector and the owner, without the sanction in writing of the Collector or other person authorized by him to grant it, under the penalty, on the part of the owner, described in the preceding clause, upon proof made as therein specified of his having committed the offence, or connived at it:

nor if directed must they be removed without permission:

penalty:

Clause 3*d.*—It shall be lawful for the Collector to cause watchmen to be placed over the crops for the purpose of preventing

the collector may place watchmen to prevent such reaping

er removal, and their wages must be paid by the occupant;

ing the unlawful reaping or removal of the same, and to realize the amount required for their remuneration, at the rate of pay received by the peons on his establishment, from the occupant in the way provided for the realization of the revenue.

reaping or removal of crops must not be unreasonably protracted,

Clause 4th.—As the above restrictions on reaping and removing the crop are intended only as a temporary security against clandestine disposal of the same, the Collector shall not defer the said reaping or prolong the said deposit so as to damage the produce; and within the period of two months after the crop has been deposited he shall, if the revenue has not been discharged, either release the crop so deposited and proceed to realize the revenue according to the rules generally enacted for that purpose, or take such portion of the crop, in no case exceeding one half, as he may deem equivalent to the revenue due, and twenty (20) per cent, on the same, as a set-off against contingent expenses, and relinquish the remainder to the owner.

but when the restrictions are taken off the revenue and contingent expenses may be realized;

adequate security for the revenue will be taken in lieu of all restrictions;

Clause 5th.—The occupant shall be released from the operation of the rules contained in the foregoing clauses of this section upon furnishing security satisfactory to the Collector, or other person authorized by him to take it, for the payment of the revenue as it becomes due:

but they may be resorted to if the security prove insufficient.

Clause 6th.—But permission to reap or remove the crop may at any time be retracted by an order in writing to the cultivator, upon the security for the revenue appearing inadequate, and the violation of such order shall be punishable in the same way as reaping or removing the crop in the first instance without permission.

CHAPTER III.

OF THE REALIZATION OF THE REVENUE BY DISTRAINT OF THE PERSON AND PROPERTY OF THE DEFAULTER.

Unpaid revenue may be

SECTION XII.—*Clause 1st.*—If the period fixed, as prescribed

ed in section X, for payment of any instalment of the revenue shall have elapsed without payment having been made, it shall be competent to the Collector, when the contumacy of the defaulter may render it in his judgment necessary, to enforce payment of the same by proceeding as described in the following Clauses of this Section against the defaulter or his security, or both:

realized from the occupant or his security or both,

Clause 2d.—The Collector may resort to mohussulee by sending a peon or other person employed as such, or horseman to demand payment, whose subsistence, as fixed by the Collector, shall be paid by the person to whom he is sent, until the demand is satisfied: the subsistence of a foot mohussul shall be at the same rate as the wages of Collectors' peons in the district for the three first days, and at a rate not greater than double that amount for the next six days, and at a rate not greater then treble the said amount for six days more succeeding: the subsistence of a person employed as a horse mohussul shall be at a rate not greater than double that prescribed for a foot mohussul, and the amount of such respective subsistence, if not otherwise paid, shall be leviable by the Collector as an ordinary assessment:

by employing a foot or horse mohussul on specified rates of pay and for a certain period:

Clause 3d.—But every person employed as a mohussul shall account for the whole of his receipts to the Collector, who shall assign to him such part of the same as the Collector may deem a fit remuneration, provided that it shall not be less for a foot mohussul than the wages of a Collector's peon, nor less for a horse mohussul than double such wages for the time during which he may have been employed:

the mohussuls ultimately receiving what the collector adjudges, provided that it be a certain sum:

Clause 4th.—The Collector may, if he should deem it requisite, employ more persons than one as mohussuls, fixing the pay of each according to the preceding rules, provided, however, that whether one person or more be so employed, the amount

more persons than one may be employed as mohussuls, but mohussulee must never exceed one

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fifth of the demand,

amount of mohussulee shall never exceed one fifth of the amount of the demand on account of which it was incurred:

and will cease when the defaulter reaches the kuchery;

Clause 5th.—A defaulter, to whom a mohussul has been sent, shall be at liberty to repair to the kuchery from whence the mohussul came, or to the Collector's kuchery, and mohussulee shall cease from the time of his reaching the kuchery.

the defaulter's property may be attached and sold;

Clause 6th.—The Collector may in lieu of resorting to mohussulee, or after employing the same, enforce payment of the amount due by the attachment and sale of the property of the individual proceeded against, or by confining him for a period not exceed thirty (30) days, at the Suddur, or any district kuchery, or by causing him to be imprisoned in the civil jail of the zilla:

attachment and sale for revenue demands how conducted;

Clause 7th—The attachment and sale of the property of defaulters shall be conducted by the Collector and officers of his establishment, under the rules prescribed for the Civil Court in Regulation IV A. D. 1827 section LXII clause 2d and Sections LXVI and LXIX and intervening sections, the Collector's order stating the amount due by the defaulter, and directing its realization, occupying in all respects the place of a judicial decree, and the subordinate officers of the Collector's establishment being authorized to execute such order, in the same way as the subordinate officers of the Civil Court execute its decrees, without reference to the denomination of their offices.

defaulters for imprisonment to be sent with a memorandum of the demand to the Judge,

Clause 8th.—When a person is forwarded to the Judge for imprisonment in the civil jail under the provisions of clause 6th, the Collector shall send by the peon in charge a memorandum, stating the name of the person sent for imprisonment, the nature of the demand against him, and the amount thereof:

who will imprison them

Clause 9th.—The Judge on receiving the memorandum shall

shall cause the defaulter to be imprisoned in the civil jail, according to the rules for the imprisonment of debtors under decrees of Court, the subsistence money of the prisoners being furnished by the Collector.

as debtors, the collector paying the subsistence money;

Clause 10*th*.—If a defaulter confined in the zilla jail shal give before the Judge sufficient security that he will either file a suit in Court within fifteen (15) days against the Collector to try the demand, and will pay the amount which may be decreed against him, together with the costs and interest which may be so decreed, or that, if he fail to file such suit as above specified, he will when required pay the amount demanded, the Judge shall forthwith cause him to be set at liberty.

but they may be released on security given to satisfy the demand or try it and fulfil the decree.

SECTION XIII.—Arrears of revenue of former years and demands on account of money advanced as tukavee shall be recoverable by the Collector in the same way as *current revenue*, except that the paramount preference given to demands for *current land revenue*, as specified in Section V, shall not extend to demands on account of *arrears*, or of advances for *former years*.

Revenue demands of former years recoverable like current revenue, but without prejudice to other claims.

SECTION XIV.—The principles of Regulation IV A. D. 1827 Section LXX, relative to the enforcement of each other's decrees by zilla Courts, shall be applicable to Collectors, who shall on application realize each other's revenue demands in the same way as if they were their own.

Collectors may realize each other's demands.

CHAPTER IV.

RULES FOR THE SECURITY OF THE RYOT BY MEANS OF THE REGULARITY AND PUBLICITY OF VILLAGE ACCOUNTS, PENALTIES ATTACHED TO UNDUE EXACTIONS, AND PENAL JURISDICTIONS OF THE ZILLA MAGISTRATE AND CRIMINAL JUDGE IN SUCH CASES.

SECTION XV.—*Clause* 1*st*.—Receipts for all revenue payments

Receipts for all reve-

nue payments to be granted by the receiver,

and countersigned and entered by the Tulatee;

penalty;

ments, in money or in kind, specifying the date and the particular account on which made, shall be granted by the person authorized to receive the public dues, and such receipts shall be countersigned by the Tulatee and recorded on his books, and any person authorized to receive revenue, and any Tulatee convicted of a breach of these rules before the Collector, shall be liable to a fine, not exceeding three times the amount received for which a receipt was not duly granted; such fine to be levied by the Collector as an assessment, and one half thereof to be paid to the informer:

the Tulatee to furnish occupants with copies of their accounts and to let his books be inspected and extracts made:

Clause 2d.—The Tulatee of the village shall furnish to the occupant of any land in the bounds of the village who may demand it a copy of his account for the current year, and the Tulatee's accounts of the village shall be open to public inspection, and all persons concerned shall be allowed to make extracts from them:

penalty of refusal:

Clause 3d.—Any Tulatee refusing for ten (10) days to give to any person interested access to his accounts, or to furnish accounts required under the two preceding clauses, shall be liable to a fine, not exceeding ten (10) rupees for every such breach of duty, and further to suspension or dismissal from office:

where there is no Tulatee the person doing the duty is liable.

Clause 4th.—If there is no Tulatee in the village the person performing the duties of that officer will be held to be responsible for the observance of the provisions of the preceding clauses under the penalties therein specified.

Undue exactions as revenue demands are criminal offences, and punishable with fine and imprisonment;

SECTION XVI.—*Clause 1st.*—All undue exactions, made under the colour or by the exercise of the authority of any revenue officer, are hereby declared criminal offences, and may be prosecuted criminally: they shall be punishable by imprisonment for a period not exceeding seven (7) years, and fine not exceeding ten (10)

(10) times the amount of the undue exaction, commutable into a further period of imprisonment at the rate of two days of imprisonment per each rupee of fine.

reward to informers;

Clause 2d.—The authority imposing the fine may award part or the whole thereof as reward to the informers:

further punishment of the offender if on the Collector's establishment:

Clause 3d.—If the offender be on the Collector's establishment, he shall further be liable to punishment for breach of duty under the rules enacted on that subject:

the magistrate's penal jurisdiction extending to three years' imprisonment, and the criminal Judge's absolute jurisdiction to five years:

Clause 4th.—The penal jurisdiction of the Collector as Magistrate, in the cognizance of the offences specified in clause 1st of this section, shall extend to imprisonment for the period of three (3) years inclusive of the commutation for fine: the absolute jurisdiction of the Criminal Judge shall in the said cases extend in like manner to imprisonment for five (5) years; sentences of imprisonment for a longer period passed by the Criminal Judge, whose jurisdiction under Regulation XIII A. D. 1827 Section XIII extends to seven (7) years, shall be referred with the cases to the Suddur Foujdaree Adawlut, according to the rules contained in clause 2d of the said section:

a civil suit may further be instituted, but if any money has been recovered damages must be lessened.

Clause 5th.—Nothing contained in the preceding clauses shall be held to prevent the person, from whom the undue exaction was made, from instituting a civil action for the recovery of the same, but the sum, which the plaintiff may have received under clause 2d of this section, shall be deducted from the amount of the undue exaction proved, and the remainder only decreed to be paid.

CHAPTER V.

OF THE RESPONSIBILITY AND AUTHORITY OF KOMAVISDARS AND HEADS OF VILLAGES FOR THE REALIZATION OF THE REVENUE.

A Komavisdar may be su-

SECTION XVII.—*Clause 1st.*—It shall be competent to the Collector

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thorized to take security or other precautions for the realization of the revenue,

Collector to authorize Komavisdars to demand security, whenever requisite, for the payment of the revenue, and, if it is not furnished, to take the necessary precautions, as authorized in Section XI, by means of the district and village revenue establishment to ensure the realization of the revenue.

and to send mohussuls and confine defaulters at his kuchery,

reporting each case:

Clause 2d.—The Komavisdar may further be authorized to send mohussuls on defaulters, and to confine defaulters at the district kuchery for a period not exceeding thirty (30) days, provided that an immediate report of each case be made to the Collector:

and to send them to the collector,

Clause 3d.—And further to send defaulters to the Collector for imprisonment in the civil jail, if the Collector should think fit:

and attach their property reporting each case:

Clause 4th.—And also to attach the property of defaulters on making an immediate report to the Collector for his final orders.

The collector may authorize heads of villages to employ watchmen to guard the crops,

SECTION XVIII.—It shall be lawful for the Collector to authorize heads of villages to employ watchmen for the purpose of preventing the removal of crops assessed to the revenue, when security has not been given, or when if given it subsequently appears insufficient, the Collector however being responsible that the provisions of Section XI on this subject are not exceeded.

and both the komavisdar and head of a village may employ a village havildar and authorize his receiving his fee.

SECTION XIX.—It is to be understood, that the Komavisdar and Patell duly authorized to receive revenue are always entitled to employ the village havildar or village headle in realizing revenue demands, and to authorize such village officer to exact the fee usual in the village on such occasions, provided that such fee shall in no case exceed half an anna.

CHAPTER VI.

OF FARMERS AND OF THEIR POWER AND RESPONSIBILITY.

The revenue may with the

SECTION XX.—It shall be lawful for the Collector, with the sanction

sanction of Government, to farm the public revenue or any portion thereof to individuals on specific agreements to be passed in writing.

sanction of government be farmed on written agreement;

SECTION XXI.—When land revenue is farmed, the Collector shall cause specific notice thereof to be given to the head patell of each village included in the farm, and a proclamation to the same effect to be fixed up at each village chowra: the notice shall specify the name of the farmer authorized to receive the revenue, and whether personally only, or at his option through his agents, and the period when the revenue or each instalment thereof will become due.

notice of the farm to be given.

SECTION XXII.—The farmer shall not have authority to increase in any instance the assessment paid the preceding year, but, when he may consider himself entitled to a larger amount than that assessment would award from any individual, he shall make application in writing to the Collector, whose directions shall be obeyed and acted upon as the rule, until superseded by a judicial decree in a suit instituted against the Collector under Section IX Clause 2d.

The farmer can raise the assessment only by application to the collector, whose direction is the rule until altered by the court.

SECTION XXIII.—*Clause 1st.*—The farmer may be authorized by the Collector at his discretion, if security is not given for the revenue, to cause watchmen to be placed over crops, with the view of preventing their being removed without his permission: the remuneration of the watchmen shall be defrayed, and the unauthorized reaping or removal of the crop, or conniving at the same by the owner, shall be punishable, in the same way as if the revenue had not been farmed:

The farmer may employ watchmen if security has not been given

and crops must not be reaped or removed without permission under penalty,

Clause 2d.—But no demand of the farmer, on account of any of the matters specified in the preceding clause, shall be enforced except on investigation made, and order passed by the Collector, or one of his assistants.

but the collector or his assistant must adjudge it:

Clause

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the farmer must not against the owner's will dispose of deposited crops, but must apply to the collector or his assistant, who will pass the requisite order.

Clause 3d.—The farmer shall not have authority without the consent of the occupant to dispose of, or appropriate any deposited crop, or any part thereof, in satisfaction of demands of revenue collected in money, but shall make application to that effect to the Collector, or one of his Assistants, who, after due investigation, shall give such directions as the case may seem to him to require.

The village havildar may be employed according to custom by the farmer.

SECTION XXIV.—The farmer shall have authority to employ the village havildar or beadle in realizing revenue payments, and to authorize his receiving the usual fee, provided that the same shall not exceed one half of an anna.

Withholding receipts, extortion &c. by the farmer or his agents, how punishable.

SECTION XXV.—The provisions of Section XV Clause 1st, and of Section XVI enjoining the grant of receipts for revenue payments, and imposing penalties on undue exactions, are hereby, to prevent uncertainty, declared applicable to the farmer and his agents.

The farmer may on application to a komavisdar procure mohussuls to be employed,

SECTION XXVI.—*Clause 1st.*—If the farmer should desire to employ mohussuls, or to have recourse to the arrest, detention or imprisonment of defaulters, or to the attachment and sale of their property for the purpose of realizing the revenue, he shall make application in writing to that effect to the Komavisdar of the district, who shall be empowered to employ in behalf of the farmer the same means of enforcing payment of revenue claims as he is permitted to employ in realizing his own collections:

but the komavisdar must use his discretion,

Clause 2d.—But the Komavisdar is to investigate the farmer's claim and to grant or reject the application, as to him may seem fit:

and the collector may in all cases be applied to,

Clause 3d.—Nothing contained in the two preceding clause is to be understood to prevent a farmer, either before or after a requisition to the Komavisdar, from applying to the Collector

to

to enforce the payment of revenue due to the farmer by any of the compulsory modes which the Collector is authorized to employ:

and after investigation will pass the requisite order:

Clause 4th.—The Collector on receiving the application shall investigate the case, and take such steps as the just claims of the farmer may appear to him to require:

mohussulee or other compulsory process to cease on suits filed before the collector, and the farmer may file such suits though mohussulee &c. has been withheld.

Clause 5th.—If mohussulee or other compulsory process be employed by any revenue authority in behalf of a farmer, it shall cease at any time upon the alleged defaulter filing a suit against the farmer before the Collector, according to the provisions of Chapter VIII, to try the demand, and furnishing security to the Collector's satisfaction that he will discharge the amount which may be adjudged against him, and, on the other hand, if the revenue authorities shall have declined acceding to the farmer's application to employ compulsory process, it shall nevertheless be competent to the farmer to institute a suit against the ryot, according to the provisions of Chapter VIII, for the purpose of establishing his claim.

Arrears due to the farmer recoverable only by suit before the Collector.

SECTION XXVII.—Arrears of revenue of former years shall be recoverable by the farmer, only on suit instituted before the Collector according to the provisions of Chapter VIII.

The farmer how liable for the amount which he has agreed to pay for his farm, which if not paid by him is recoverable from the ryots, fair payments to the farmer being credited.

SECTION XXVIII.—The farmer shall be responsible to the Collector for the amount which he has agreed to pay for the farm according to the terms of his agreement, and, if he should fail to discharge any instalment on the day when it becomes due, it shall be competent to the Collector to proceed against him or his security, or both, as against a revenue defaulter, and to direct the revenues of the farm to be paid in future into the public treasury, and, in such case, no payment on account of revenue made in anticipation to the farmer, shall be held to bar the claim of the Collector to the revenue assessable on the

crop,

crop, which shall be realized in the same way as if no farm had been granted.

CHAPTER VII.

OF THE POWERS AND RESPONSIBILITY OF SUPERIOR HOLDERS OF LAND IN RESPECT TO THE REALIZATION OF THE RENT OF THEIR LANDS AND TO THE PAYMENT OF REVENUE DUE THEREFROM.

Superior holders how to recover their dues from their tenants:

SECTION XXIX.—*Clause* 1*st*.—The provisions contained in Sections XXIII, XXIV, XXVI, and XXVII, shall constitute the rule for the recovery of their dues by superior holders from their tenants.

power to arrest and imprison defaulting tenants conferred on the Nuwab of Surat, and complaints against him on this subject cognizable only by the agent for the Governor.

Clause 2*d*.—But the Nuwab of Surat shall have authority to arrest inferior landholders and others occupying land belonging to the Nuwab against whom he may have demands on account of rent, and to confine such persons in some fit place and manner for a period of thirty (30) days, or for any shorter term within which the Nuwab's demands may be satisfied; and complaints against the Nuwab regarding the exercise of the power thus vested in him shall be received and proceeded in by the agent for the Governor at Surat, according to the instructions which that officer shall receive from Government, and shall not be cognizable by any other authority.

Superior holders are responsible for their revenue to the Collector, who, if necessary, may receive payment from the tenant.

SECTION XXX.—Superior holders are responsible to the Collector for the public revenue assessed on their lands, and if payment thereof be not made or satisfactory security furnished, the Collector may realize from the crop the amount due, or resort direct to the inferior holder as provided for in Section V.

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CHAPTER VIII.

OF THE CIVIL JURISDICTION OF THE COLLECTOR IN THE ADJUSTMENT OF THE RESPECTIVE RIGHTS OF PARTIES IN CASES WHICH RELATE TO LAND AND ITS RENT AND PRODUCE.

The Collector has civil jurisdiction in suits for the possession of lands,

SECTION XXXI.—*Clause 1st.*—The Collector is vested with the civil cognizance in the first instance, subject to the limitation as to time enacted in the general regulations, of all claims for the possession of lands:

and regarding tenures of land,

Clause 2d.—Of all disputes in regard to the tenures of land, and to the nature and extent of the interest and advantage which should in virtue of such tenure be enjoyed by the parties concerned:

and its rent;

Clause 3d.—Of all disputes regarding rent of the current or former year, which the ryot on the one hand or the farmer or superior holder on the other may desire to submit to civil adjudication, as provided in sections XXVI, XXVII, and the 1st Clause of Section XXIX:

and regarding wells, tanks, &c.

Clause 4th.—Of all questions regarding the use of wells, tanks and water courses, and roads to fields:

and boundaries;

Clause 5th.—Of all disputes regarding boundaries:

such suits to be accordingly transferred.

Clause 6th.—All original suits relating to any of the subjects enumerated in the preceding clauses of this section, which may be depending in the zilla courts, will accordingly be forthwith transferred to the Collector.

The plaint to be on unstamped paper: what it is to contain:

SECTION XXXII.—*Clause 1st.*—In every suit instituted by virtue of the preceding section before the Collector, a plaint on unstamped paper shall be presented to the Collector, specifying the

the nature and extent of the demand, and such other particulars as may be necessary to elucidate the case:

proceedings and powers of the Collector.

Clause 2d.—In summoning the defendant, receiving the pleadings, summoning witnesses, taking evidence, and generally, in the conduct and decision of the suit (the proceedings on which shall be on unstamped paper) the Collector shall be guided by the rules enacted in Regulation IV A. D. 1827 for courts of civil justice; and it is hereby declared and enacted, that, in so far as concerns the summoning and examination of witnesses, the penalties for not giving evidence, for false testimony, for resistance of process, contempts, and all other similar matters connected with cases under cognizance by the Collectors of land revenue, in virtue of the provisions of this Chapter vesting Collectors with judicial powers, their kucheries or offices shall be held to be Courts of Civil Judicature.

A copy of the decree to be furnished, if stamped paper is supplied, in ten days from its date, and may then be executed unless an appeal be made.

SECTION XXXIII.—*Clause 1st.*—A copy of the decree shall be furnished by the Collector within ten (10) days of its date to each party, on his providing the stamped paper prescribed for decrees in Appendix F to Regulation XVIII A. D. 1827, and, after the said period of ten (10) days the Collector, on verbal application by the party interested, shall cause the decree to be executed, unless the opposite party should furnish security satisfactory to the Collector, that he will either institute an appeal within the period prescribed by law, or will within the said period satisfy the Collector's decree.

An appeal to the Judge may be made in ninety (90) days and when filed the Collector will transmit the suit;

SECTION XXXIV.—*Clause 1st.*—An appeal against the Collector's decree shall lie to the zilla Judge within ninety (90) days from the date of the decree, and the Collector, on receiving written intimation from the Judge, that the petition of appeal has been duly filed, shall transfer to the Court the whole of the proceedings held in the suit, and the documents which it contains:

Clause

Clause 2d.—The decree of the Collector shall not be liable to be set aside for want of form in the proceedings, but only for matters affecting the justice of the decision :

and the Collector's decree is not reversible for want of form only ;

Clause 3d.—In all other respects the appeal shall be subject, both as to trial and as to further appeal, to the same rules as apply to an appeal from the decree of a Senior Assistant Judge passed in an original suit.

in other respects ordinary rules apply to such appeals.

CHAPTER IX.

OF TITLES TO EXEMPTION FROM THE PAYMENT OF LAND REVENUE.

SECTION XXXV.—*Clause 1st.*—Whenever land is enjoyed, either wholly or partially exempt from the payment of public revenue, *under a deed or other writing* granted by the present or any former government, or by any of their public officers possessing authority to grant the same, such deed or writing shall remain valid, and be considered as a sufficient title to the exemption.

Title to hold land wholly or partially exempted from revenue *under a valid deed*,

Clause 2d.—Whenever land has been enjoyed, *but not under a deed or writing*, wholly or partially exempt from the payment of public revenue, *for more than sixty (60) years in succession* by any person, his heirs or others deriving right from him, such enjoyment, provided it has been *under some tenure recognised by the custom of the country* in which the land is situated, and more particularly under any of those specified in Appendix A, shall be considered as a sufficient title to exemption, provided however that *vechania* and *gerania* shall in no case, so far as the rights of Government are concerned, be considered as *tenures recognised by the custom of the country* for the purposes of this clause :

under recognized tenure (without a deed) joined with sixty (60) years' exemption :

vechania and gerania excluded,

Clause 3d.—But enjoyment of such exemption *for twelve (12) years*, antecedent to the date when the territory in which the

or twelve (12) years' exemption under a native Government :

the land is situated came into the possession of the British Government, shall be considered as equivalent to enjoyment for *sixty* (60) *years*, as specified in the preceding Clause:

exceptions in so far as the land has since been assessed by certain authorities.

Clause 4th.—But such deed or writing, or such enjoyment under a recognised tenure, shall not be considered a sufficient title, in so far as *the exemption has been wholly or partially annulled by an order* issued by the present or any former Government, or by any public officer possessed, under a former Government, of full and sufficient authority to grant deeds exempting lands from the payment of public revenue, or, so far as the land has been assessed *under an order not subsequently recalled, issued by any of the said public officers*, and such assessment has been realized:

or paid assessment for twelve (12) years:

Clause 5th.—Nor shall such deed or writing, or such enjoyment under a recognised tenure, be considered as a sufficient title, if the land has been *subsequently assessed for the period of twelve* (12) *years*, like other land of the same description enjoying no exemption, and the assessment has been realized, but without prejudice to any suit filed in support of the title to exemption, before the completion of the said period:

provision as to partial assessment.

Clause 6th.—And where the assessment so levied for twelve (12) years, has not been to the extent of that imposed on land of the same description enjoying no exemption, such assessment shall affect the title only to the extent of the assessment so made and realized.

Title to exemption *from prescription (without a deed or recognized tenure,)*

SECTION XXXVI.—*Clause 1st.*—Whenever land has been *enjoyed without payment of public revenue, for more than sixty* (60) *years in succession*, by any person, his heirs or others deriving right from him, *such enjoyment* shall be considered as sufficient title to the exemption:

Clause 2d.—Provided however, that land *enjoyed as specified in the preceding clause* shall be liable to assessment, so far as it may have been *subsequently assessed under an order not expressly recalled, issued by the present or any former Government, or by any public officer possessed under a former Government of full and sufficient authority to grant deeds exempting land from the payment of public revenue, and such assessment has been realized,* or so far as the land *subsequent to such enjoyment for more than sixty* (60) *years, may have been assessed, for the period of six* (6) *years, and the assessment been realized,* but without prejudice to any suit filed in support of the title, before the completion of the said period of six (6) years:

exception when the land has since been assessed by certain officers,

or paid revenue for six years.

SECTION XXXVII.—*Clause* 1*st.*—But whenever the title to hold any land exempt wholly or in part from the payment of public revenue, shall have been clearly recognised by the present or any former Government, or by any public officer possessed under a former Government of full and sufficient authority to grant deeds exempting land from the payment of public revenue, such recognition shall be understood to have cured all defects to the extent of such recognition, and be in so far admitted as a sufficient title to the exemption.

Recognition of title: its effects.

SECTION XXXVIII.—*Clause* 1*st.*—Land held exempt as jagheer shall be liable to resumption and assessment under the general rules at the pleasure of Government when signified by order to the Collector, provided that such resumption or assessment shall not commence until after the incumbent shall have been served, in the manner specified in Clauses 3d 4th and 5th of Section XL, with a notice according to the form contained in Appendix B, accompanied by a copy of the order for resumption or assessment.

Land exempt as jagheer liable to resumption and assessment:

Clause

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land exempt conditionally may be assessed,

Clause 2d.—And further, all land held exempt from the payment of public revenue, if such exemption was granted in consideration of service to be performed, or for the support of religious or other establishments, or for other special purposes, shall be liable to be assessed if the conditions of the grant are not fulfilled:

if the condition is not fulfilled,

but after notice,

Clause 3d.—Provided that no such assessment shall be made, until the person enjoying the exemption has received notice in writing, either from the Government or one of its officers duly authorized, requiring him to fulfill the condition of the grant, and has failed so to do within the period specified in the grant, or if no period is so specified, for more than six (6) months from the date of receiving the notice:

and in cases of trust, proclamation,

Clause 4th.—Provided also that, when the person enjoying the exemption holds it in trust for the benefit of others, as in the case of exemptions granted for the support of religious establishments, public works &c. proclamation shall at the time of giving the notice be made that the land will be assessed and the assessment enforced, unless within the prescribed period the conditions of the grant are fulfilled, or a suit to enforce their fulfilment is filed by some person interested:

duly published.

Clause 5th.—The proclamation shall be read aloud in the most public part of the town or village within the limits of which the property is situated, and copies thereof shall be fixed up in a conspicuous part of the Zilla Court, in the Collector's kuchery, and in the public market of the said town or village.

Officers recognized as having authority to make grants of exemption:

SECTION XXXIX.—*Clause 1st.*—The public officers specified in Appendix C are recognised to have possessed full and sufficient authority under former Governments to grant deeds or other writings exempting land either wholly or partially from the payment of public revenue:

Clause

Clause 2d.—The validity of all such deeds or writings granted under former Governments, by other officers than those specified in Appendix C, shall not be admitted without proof that the person by whom they were granted possessed full and sufficient authority for the purpose.

the authority of others to be proved.

CHAPTER X.

RULES FOR EXAMINING AND DECIDING UPON CLAIMS TO EXEMPTION FROM THE PAYMENT OF LAND REVENUE, AND FOR DISCONTINUING SUCH EXEMPTIONS WHEN NOT DULY ESTABLISHED.

SECTION XL.—*Clause 1st.*—When land is enjoyed wholly or partially exempt from the payment of revenue, and the Collector has reason to believe that no sufficient title exists for its being so enjoyed, it shall be competent to him to call upon the occupant to defend his claim, specifying the mode of defence prescribed by regulation, and the amount of assessment which he intends to impose upon the land, in case the claim to exemption should not be defended:

When land is held apparently without authority exempt from assessment, the collector may issue a notice of assessment;

Clause 2d.—The notice shall be in the form contained in Appendix D to this regulation:

its form and contents:

Clause 3d.—It shall be served by a peon of the Collector upon the holder of the land, if he is resident within the limits of the zilla, and, if he is not resident within the zilla, upon any person acting for him during his absence:

to be served on the holder or in his absence on his agent:

Clause 4th.—If the holder is resident in another zilla, and has no person acting for him in the zilla in which the land is situated, the notice shall be sent to the Collector of such other zilla, and be served in the manner above described:

or forwarded to the holder in another zilla:

Clause 5th.—And if the holder be neither known to reside nor to have a person acting for him within any zilla, the notice shall be served upon the person in charge of the land.

or served on the person in charge of the land:

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If no answer is given the Collector may levy the assessment,

SECTION XLI.—*Clause 1st.*—If the holder, or other person on whom the notice has been served, fails within two months from the date of its receipt to give a written answer, setting forth the grounds, whether resting on prescription or on specific grant, on which the claim to exemption is founded, or if he gives such answer, without exhibiting such evidence as may be required, either by the production of written documents, or by mentioning the names of witnesses whom he wishes to be summoned, as the case may be, the Collector, after duly considering the information in his possession, may, if he sees no sufficient proof of the right to exemption, proceed to levy the assessment specified in the notice:

but shall allow time for the production of proof:

Clause 2d.—But the Collector shall, on due cause shewn for delay, afford a reasonable period for the production of such evidence as the person attending to support the claim to exemption may desire to bring forward.

upon answer given and proof produced the Collector to try the suit by the rules of civil justice.

SECTION XLII.—*Clause 1st.*—If the person so attending, after giving in the written answer prescribed within the period specified in Clause 1st of the preceding Section, shall, on being called upon to produce evidence, exhibit a sunnud, grant, or other written document, or mention the names of wi nesses whom he wishes to be summoned, it shall be the duty of the Collector, in the presence of the party, to examine all written documents, and to summon and take the depositions of witnesses, in the same way and under the same rules as the general regulations prescribe for the trial of Civil suits in the Zilla Court:

By Regulation III A. D. 1814 all grants for holding lands exempt from the payment of revenue made previously to the following dates respectively to be valid;

Clause 2d.—But, whereas it was enacted by Section II Regulation III A. D. 1814 that "all grants for holding lands "exempt from the payment of revenue in the Islands of Salsette "and Caranja, which shall have been made by competent au- "thority previously to the 1st December A. D. 1774; and all "such grants as may have been made in the territories ceded by

"the

" the Nuwab of Surat previously to the 13th of May 1800; and
" all such grants as may have been made previously to the 15th
" of March 1802 in the purgunnahs of Chowrassee and Chickly
" granted, as a free gift, by the Guicawar to the Hon'ble Com-
" pany, and all such grants as may have been made previously
" to the 5th of June 1803 in the territories ceded by the Guica-
" war, and all such grants as may have been made previously
" to the 31st of December 1802 in the territories ceded by the
" Paishwa under the treaty of Basseen, and all such grants as
" may have been made previously to the 29th of August 1803
" in the District of Broach, of which the Company acquired
" possession on that day by conquest, shall be valid; and all per-
" sons holding lands exempt from the payment of public reve-
" nue, under grants made by competent authority previously
" to the several dates herein before specified, shall continue to
" hold such lands without let or molestation, provided that such
" lands may not have escheated to the State, or may not have
" been resumed and assessed for the public revenue, since the
" period of those dates respectively:"

in Salsette and Caranja 30th December 1774:
in the Chowrassee and Chickly purgunnahs 15th March 1802:
in the territories ceded by the Guicawar 5th June 1803:
in the territories ceded by the Paishwa 31st December 1802:
in Broach 29th August 1803:

Clause 3d.—And by Section XVIII of the above quoted Regulation that " a Register shall be kept in each Zilla of the lands
" held exempt from the payment of revenue, previously to the
" dates herein before specified, and such registers shall be cor-
" rected and renewed once in every five years. The registers
" shall specify the denomination of each grant or sunnud; the
" names of the original grantors and grantees, the names of
" the present possessors with the relation they bear to the ori-
" ginal grantees, the dates of the sunnuds, the names of the
" villages comprised in the grant, with the extent of land spe-
" cified in the local land measure, and the names of the purgun-
" nahs in which the land may be situated: such Registers shall
" be denominated *Registers of lands exempt from the payment*
" *of revenue under grants not being Badshahee or Royal:*"

A register of exempted land to be kept in each zilla:

what the register is to specify,

and what it is to be denominated:

Clause

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all grants for exempted lands to be registered;

Clause 4th.—And by Section XIX of the above quoted Regulation that "persons actually holding lands exempt from "payment of public revenue, under sunnuds granted previously to the dates herein before specified, shall, whether the sunnud may or may not have been confirmed by competent authority, register the said particulars regarding their respective sunnuds in the offices of the Collectors of zillas:"

to which effect Collectors to make proclamation specifying the information required:

Clause 5th.—And by Section XX of the above quoted Regulation that "the Collectors of zillas shall accordingly cause "due notice to be given in all the kucheries and public places "of each zilla by written instruments, requiring persons holding exempted lands to register their respective sunnuds; and "the said notices shall specify the particular information required for the purpose of registration;"

period of time allowed for registration and consequence of omission therein:

Clause 6th.—And by Section XXI of the above quoted Regulation that "when persons holding exempted lands may refuse, or omit to register their titles, during one whole year "from the time of publishing the notice of the Collector, such "lands shall be liable to be assessed for the full amount of the "public revenue in the same manner as other lands of the purgunnah not held exempt under sunnud; but such assessment "shall not be fixed by Collectors, except by the sanction of the "Governor in Council previously obtained for that purpose in "writing:

Regulation III A. D. 1814 when made applicable to other districts:

Clause 7th.—And whereas Regulation III A. D. 1814 was rendered applicable to other districts than those mentioned in Clause 2d, according to the enumeration contained, and on the dates respectively specified in Appendix E to this Regulation:

proclamations made in the zillas of

Clause 8th.—And whereas the proclamation mentioned in Clause 5th has been made in the zillas of Surat and Broach, the

Eastern

A. D. 1827. REGULATION XVII.

Eastern and Western Zillas North of the Myhee, and the Zillas of the Northern and Southern Konkan, it is hereby enacted, that in the abovementioned Zillas no sunnud not registered within one year, after the proclamation abovementioned was made, shall be held by the Collector, or by any Court of Justice, to preclude the assessment of land in the manner specified in clause 6th.

Surat, Broach, Kaira, Ahmedabad, and the Konkans: therefore lands therein not registered are liable to assessment:

Clause 9th.—When a written deed is produced, the Collector shall, after examining the same, certify on the back of it the date on which it was produced before him, and if desirous of having a copy of it, shall cause one to be made in the presence of the person who produced the deed, to whom he shall then return it.

Written deeds to be examined and copied in the owner's presence and returned:

SECTION XLIII.—*Clause 1st.*—The Collector shall have authority to summon witnesses on the part of Government, to administer oaths to them, and to take their depositions, and the powers conferred on Collectors in Clause 2d of Section XXXII of this Regulation, by constituting their Kucheries or Offices, for the time being, Courts of Civil Judicature for the purposes therein contemplated, are hereby vested in them in the performance of the duties described in the present Chapter.

the Collector may summon and examine witnesses on the part of Government,

his power in such cases being those of a Judge;

Clause 2d.—On whatsoever evidence the Collector rests a claim to assess the land, the same shall, if oral, be taken, and if written be read, in presence of the party, who may attend to support the claim to exemption, and such party shall also be at liberty to cross-question the witnesses, and to examine and copy the documents.

but all evidence must be taken and read in presence of the party supporting the exemption, who may also take copies.

SECTION XLIV.—*Clause 1st.*—The Collector shall keep a record of his proceedings in the language most generally spoken in the zilla; the record shall contain copies of all the documents comprised in the inquiry, and copies of all the depositions taken,

The Collector to keep a record:

what it is to contain:

taken, with references to the originals: it shall further contain the decision of the Collector, and a full statement of the grounds on which it is passed.

a copy to be given to the party claiming the exemption,

Clause 2d.—A copy of the record shall, when the inquiry is closed, be given to the party attending in support of the claim of exemption:

except under certain circumstances.

Clause 3d.—But, in cases coming under Section XLI Clause 1st, it shall not be necessary for the Collector to enter on his record any documents or evidence whatever, nor to furnish the parties with any information beyond his decision on the claim to exemption, to be communicated in the mode prescribed in Section XL Clauses 3d, 4th and 5th, for giving the notice of assessment.

Collector's decision in favour of the exemption final if sanctioned by Government;

SECTION XLV.—If the decision of the Collector be in favour of the right of the holder to enjoy the land, as previously, such decision shall, after being communicated to the party, be reported by the Collector to Government, and, if sanctioned by Government, shall be final.

if against the exemption, assessment how to be made.

SECTION XLVI.—If the decision of the Collector be against the right of the holder to the exemption claimed, he shall proceed to assess the land under the ordinary rules.

Collector when bound to decide the question of exemption, and when not bound.

SECTION XLVII.—Whenever the holder of land held wholly or partially exempt from assessment, or any person appearing to support his claim, has given a written answer to the Collector's notice issued in conformity to Section XL, and, if the claim is founded on specific grant, has produced a written deed, or shewn sufficient cause for not producing it, it shall not be competent to the Collector to leave the question undecided without the consent of the party in writing, on receiving which the Collector shall furnish him with a copy of the record of his proceeding,

which

which shall contain an intimation that his title has not been decided upon, and is subject to future examination.

A compromise may be concluded with the party claiming exemption.

SECTION XLVIII.—In all cases of doubt, or whenever in the course of the inquiry it appears to the Collector, that although the claim to exemption has not been legally established, the holder, from uninterrupted enjoyment for a considerable period, or from other causes, is entitled to indulgence, it shall be competent to the Collector to conclude a compromise, subject to the confirmation of Government, with the party, upon the principle of securing to him a portion of the advantages claimed.

Original suits against the Collector in what cases and for what period competent:

SECTION XLIX.—*Clause 1st.*—The holder of land subjected to assessment by the Collector, under Section XLI Clause 1st of this Regulation, shall be at liberty to institute an original suit in the Zilla Court against the Collector within twelve (12) or six (6) years, (according as the land, the subject of the suit, may come under the provisions contained in Section XXXV Clause 5th, or Section XXXVI Clause 2d) from the date when the Collector's decision was made known.

appeals in what cases and for what period competent:

Clause 2d.—The holder of land subjected to assessment by the Collector under Section XLVI of this Regulation, shall be at liberty to appeal to the Zilla Court from the Collector's decision within ninety (90) days from the date on which that decision was made known:

the holder subject to forfeiture if no written answer is given to the notice,

Clause 3d.—But, if a written answer was not given to the Collector's notice issued in conformity to Section XL, the holder shall, whether or not he gains his cause, pay the whole costs of suit, and forfeit at least one year's assessment of the land, and any further assessment which may have been levied up to the date of the decree:

REGULATION XVII. A. D. 1827.

or if given and the grounds of action differ from those urged in it,

Clause 4th.—He shall also be subject to the same penalties, if such written answer was given, and the grounds of action subsequently stated in the petition of appeal are of a different nature from those urged in such answer:

or a summud previously withheld without good cause is produced.

Clause 5th.—And also, if the claim was grounded before the Collector on a written deed, and the holder produces before the Court any written deed which was not produced before the Collector, without shewing sufficient cause, and proving that such cause was assigned to the Collector, or adducing good reason for its not having been so assigned.

if oral testimony previously withheld without good cause is produced,

SECTION L.—If the written answer given in to the Collector stated that the proof of the claim rested on oral testimony, and the holder subsequently before the Court calls any witness who was not called before the Collector, without shewing sufficient cause for his not having been called, and proving that the cause was assigned to the Collector, or adducing good reason for its not having been so assigned, the holder shall, even if he gains his cause, pay the costs of suit and one year's assessment of the land, and be subject moreover to any part of the additional forfeiture specified in the three last clauses of the preceding Section which the Court may impose, in consideration of the degree in which he may be deemed to have himself occasioned the assessment of the land by the non-production of evidence before the Collector, without assigning sufficient cause for such non-production.

certain forfeitures are exigible.

Rules for the trial of original suits.

SECTION LI.—*Clause* 1*st.*—Original suits instituted in the zilla Court under this chapter against the Collector shall be conducted in the same way and under the same rules as all other suits, and shall be subject to the same provisions in respect to the right of appeal.

Clause

A. D. 1827. REGULATION XVII.

Clause 2d.—Appeals instituted under this chapter against the decrees of the Collector shall be tried by the Zilla Judge, the Government being the respondent, and shall be subject to the rules contained in Clauses 2d and 3d of Section XXXIV of this Regulation. and appeals.

APPENDIX A.

List of tenures that may be considered as "tenures recognised by the custom of the country" under Section XXXV Clause 2d of this Regulation.

Wanta,	Khoodkhasta,
Gras,	Cooleyapa,
Wuttun,	Barria,
Pussaeta,	Meeras,
Waola,	Izafut,
Raonia,	Dewusthan.
Puggia,	

APPENDIX B.

(*See Section* XXXVIII *Clause* 1*st.*)

Form of notice of the resumption of a jagheer.

Whereas you —— inhabitant of —— occupy —— beegas of land in the bounds of the village of —— in the purgunna of —— as jagheer, this is to acquaint you that the said tenure will cease from (here insert the date) in pursuance of an order of the Governor in Council, a copy of which is annexed.

COLLECTOR'S OFFICE,
—— day of —— 18—

(Signed) A. B.
Collector.

APPENDIX

REGULATION XVII. A. D. 1827.

APPENDIX C.

(*See Section* XXXIX *Clause* 1*st.*)

List of Officers who under former Governments had power to confer grants exempting lands wholly or partially from the payment of public revenue.

UNDER THE EMPERORS OF DELHI.

Soobhadars of provinces.

IN THE TERRITORIES THAT WERE SUBJECT TO THE PAISHWA.

The Paishwa,

All officers holding the Mootalikee seal,

All Sirsoobhadars in their districts,

All superior local functionaries acting directly under the Paishwa, without the intervention of any superior authority, if the deeds bear date prior to 1803;

The Guikowar considered as a Sirsoobhadar in the Paishwa's territories to the North of the Mylee, during the period that he held them in farm.

IN THE TERRITORIES THAT WERE SUBJECT TO THE GUIKOWAR.

The Guikowar,

All officers holding the Mootalikee seal.

IN THE TERRITORIES THAT WERE SUBJECT TO SCINDIA.

Scindia.

His officers holding the Mootalikee seal.

IN THE TERRITORIES THAT WERE SUBJECT TO HOLKAR.

Holkar,

His officers holding the Mootalikee seal.

IN THE TERRITORIES THAT WERE SUBJECT TO THE NIZAM.

The Nizam.

IN THE DISTRICTS THAT WERE SUBJECT TO THEM.

The Nuwaub of Surat,

The Nuwaub of Broach.

A. D. 1827. REGULATION XVII.

APPENDIX D.

(*See Section* XL *Clause 2d.*)

Form of notice of Assessment, if the claim to exemption is not duly established.

Whereas you —— inhabitant of —— occupy —— beegas of land in the bounds of the village of —— in the purgunna of —— without paying the amount due as Government revenue on the said land, this is to intimate to you, that, unless within two months from the receipt of this notice, you appear before me personally or by vakeel, and defend your claim to hold the land in the manner above specified, by giving in a written answer to this notice, setting forth the grounds of your claim, and produce such documentary or oral evidence as may be requisite in the case, or shew good cause for not producing it, the land will be assessed at the rate of ——. Annexed to this for your information is a copy of Sections XLI, XLIX and L of Regulation XVII A. D. 1827, specifying the consequence which will result from your neglecting to defend your claim before me, or defending it in such a manner as to bring you within the operation of the rules contained in those Sections.

(Signed)

Date *Collector of* ——

REGULATION XVII. A. D. 1827.

APPENDIX E.

(*See Section* XLII *Clause 7th.*)

Statement shewing when Regulation III A. D. 1814 *was rendered applicable to the undermentioned territories.*

SURAT ZILLA.

ENACTMENT CONCERNED.	TERRITORY.	DATE WHEN REG. III OF 1814 COMMENCED OPERATION.
Sect. IV Regulation I of 1817.	The purgunna of Currode.....	5th June 1816.
	The purgunnas of Bugwara and Turkeysir. The Kusba of Mota in Surat Attaveesy, The village of Mugdula with some adjoining lands of the village of Peeplod.	6th June 1816.
	The purgunna of Oolpar, ...	28th Nov. 1816.

BROACH ZILLA.

Sect. V Regulation VI of 1817.	The purgunnas of Jumbooseer, Ahmood and Dejbara, ...	5th June 1816.

EASTERN ZILLA NORTH OF THE MYHEE.

Sect. IV Regulation I of 1817.	The purgunna of Kupurwunj, The tuppa of Bahlej, The four (4) villages of Sundana, Antroly, Wasna and Kurnej,	5th June 1816.
Sect. XIII Regulation III of 1819.	The purgunnas of Mahmoodabad, Alenah, (except the two villages of Nikol and Sanoda) Antroly, Tasra, and Duskuroee to the east of the Kharee river, The Paishwa's share of the Petlaud purgunna The tour of Oomrut.	6th June 1816.

WESTERN

WESTERN ZILLA NORTH OF THE MYHEE.

ENACTMENT CONCERNED.	TERRITORY.	DATE WHEN REG. III OF 1814 COMMENCED OPERATION.
Section XIII Regulation III of 1819.	The city of Ahmedabad, The Duskuroee purgunna to the west of the Kharee river, The purgunnas of Veerumgaum and Purantej, The two (2) villages of Nikol and Sanoda in the Alena purgunna, The Paishwa's share of the districts of Byar, Hursol and Morassa.	6th June 1816.

ZILLA OF THE NORTHERN KONKAN.

Sect. V Reg. VI of 1817.	The districts of Bellapoor, Autgaum and Kalian, and all the other territories of the Paishwa Bajee Row extending North of those districts as far as the Demaun river, and lying between the Ghauts and the sea.	5th June 1816.
Section XIII Reg. III of 1819.	The territories of the Paishwa Bajee Row extending South of the districts of Bellapoor, Autgaum and Kalian, as far as the Apta river, and lying between the Ghauts and the sea, with the exception of the town of Apta, and the villages of Korulwaree and Sendapoor in the Kurnala talooka.	2d Sept. 1817.
Treaty with the Colaba state.	So much of the Uoorwuleet turuf, North of the Apta, as belonged to the state of Colaba, with the exception of the following ten (10) villages and twenty five (25) Khars.	Regulation I of 1823 the same, for the purposes of this Appendix, as Reg. III of 1814, rescinded and supplied the place of Reg. III of 1814 from the 2d April 1823, and was therefore

Villages.

ZILLA OF THE NORTHERN KONKAN.

(Continued.)

ENACTMENT CONCERNED.	TERRITORY.		DATE WHEN REG. III OF 1814 COMMENCED OPERATION.
	Villages.		
	Woolvie, Turghur, Dapolee, Kopur, Polee,	Parengur, Koondeywal, Masor, Awrey, Gowan.	alone extended to this portion of territory. 6th June 1824
	Khars.		
	Nandaee Neemba, Khar Wasunee, Hurrichundur Peemplee. Kaljee Gobur, Boorey Boozoorg, Band Khar, Khat Khar, Waltee, Mhalaee, Sonkhar, Bhangaree-boozoorg, Rel Khar,	Pond Khar, Shemptee, Waltee, Danwacha-kota, Chiklee-bhom, Motee Khar, Ranjun Khar, Hurischundur-kota, Gowendee, Boree-khoord, Boree-cha-kota, Kopur, Pota-cha-moonh.	
Treaty with the Colaba state.	So much of the Toongartun Mahal, North of the Apta, as belonged to the state of Colaba with the exception of the village of Wat. The four (4) villages Tulowrey, Chandajee, Goorvey and Nurol in the Vuredy turuf. The two (2) villages Dewroog and Khurwar-boozoorg in the Soonalee turuf. The village Amburjey in the Sherey turuf. The village Ambolee in the Burey turuf. The three (3) villages Nitaley, Nourey and Khyruney in the Tulozeh turuf. The three (3) villages Kampolee, Dewkur and Bhanwuj in the Bortee turuf.		Regulation of 1823 in force from 6th June 1824. (See preceding explanation.)

A. D. 1827. REGULATION XVII.

ZILLA OF THE SOUTHERN KONKAN.

<table>
<tr><th>ENACTMENT CONCERNED.</th><th>TERRITORY.</th><th>DATE WHEN REG. III OF 1814 COMMENCED OPERATION.</th></tr>
<tr><td>Reg. III of 1819.</td><td>Fort Victoria and its nine (9) dependent villages.
The Fort and Island of Sindoodroog in Malwan, and the forts of Puddunghur, Rajkot and Serjeekot, with the villages and lands dependent on the said forts.
The Fort and valley of Vingorla, and the Cessions by the Waree state in Wurar and Muloondee.
The territories of the Paishwa Bajee Row bounded on the North by the Apta river and on the South by the Karlee or Malwan river, and lying between the Ghauts and the sea, with the four (4) following exceptions.
1st.—The Oonderee talooka, except the village of Khar Dolvie, which village belongs to the zilla.
2d.—The three (3) following villages in Chawool; viz. Waolee, Karley and Komprolee.
3d.—The five (5) following Warees in Chawool and Thul, viz. Pakaree Rameshwur, Pakaree Bolawee, Ramajee Mahadeo, Veesajee Keshow and Wursolee.
4th.—The oarts belonging to and situated without the walls of the fort of Rewdunda.</td><td>2d Sept. 1817.</td></tr>
<tr><td>Sect. IV Reg. III of 1820.</td><td>The nine (9) following sea coast villages in the turufs of Ajgaum and Paut, viz.
<table><tr><th>OF AJGAUM.</th><th colspan="2">OF PAUT.</th></tr><tr><td>Raree,
Arowlee,
Seerodee.</td><td>Dabolee,
Kanolee,
Keyloos.</td><td>Mahapun with the adjoining fort of Newtee.
Konchuree,
Purolen.</td></tr></table></td><td>17th Feb. 1819.</td></tr>
</table>

So

REGULATION XVII. A. D. 1827.

ZILLA OF THE SOUTHERN KONKAN.

(*Continued.*)

ENACTMENT CONCERNED.	TERRITORY.	DATE WHEN REG. III OF 1814 COMMENCED OPERATION.
Treaty with the Colaba state.	So much of the Toongartun turf situated South of the Apta river, as belonged to the state of Colaba, with the exception of the village of Khurarec boozoorg. The two (2) villages Wureree and Shetolee and the four (4) Khars, Sonkhar, Dhadur Khar, Khar Dubaba and Dolvie Khar in the Humrapoor turuf.	Regulation I of 1823 in force from 6th June 1824. (See explanation on the Uoorwuleet turuf Northern Konkan.)

(Revenue Branch.)

A. D. 1827. REGULATION XVIII.

A REGULATION *for levying a stamp duty on certain papers within the territories subordinate to the Presidency of Bombay.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of three (3) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Of stamps, rules for the supply and vend of them, and punishments assigned to illegal sales and purchases*.....	I.
II.	*Of stamps required to be used by individuals in their transactions with each other.*	X.
III.	*Of stamps required to be used in law proceedings, and for the authentication of certain public documents and papers*.....	XV.

(Revenue Branch.)

REGULATION XVIII. A. D. 1827.

A REGULATION *for levying a stamp duty on certain papers within the territories subordinate to the Presidency of Bombay.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it has been found expedient to levy a tax upon bonds, and other written obligations and engagements, upon deeds, or other documents transferring or assigning property, upon plaints and other law proceedings, upon sunnuds and certain certificates, and upon copies of documents requiring to be authenticated by a public officer, the following rules are therefore enacted to take effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER I.

OF STAMPS, RULES FOR THE SUPPLY AND VEND OF THEM, AND PUNISHMENTS ASSIGNED TO ILLEGAL SALES AND PURCHASES.

Institution of a general stamp office: appointment of the superintendent: his oath.

SECTION I.—There shall be a general stamp office at the Presidency; the person placed over the same shall be designated the Superintendent of stamps, and shall previously to entering upon the duties of his office take before the Governor in Council the oath contained in Appendix A.

SECTION

REGULATION XVIII. A. D. 1827.

Institution of zilla Stamp Offices:

SECTION II.—An office for the sale and distribution of stamps shall be established in each zilla under the superintendence of the Collector of land revenue.

venders of stamps to be appointed and stationed wherever required:

SECTION III.—*Clause* 1*st.*—One or more venders of stamps shall be appointed by the Collector in each Kamavisdarship, or district of similar extent within a zilla, who shall have their offices at such places as the Collector may fix; but a vender shall always be established by the Collector in each town or village where the Court of a Commissioner is held.

lists of venders to be fixed up at each Kuchery and Court:

Clause 2*d.*—A list of the venders of stamps within each zilla shall be constantly fixed up in the Collector's office, at the Kuchery of every Kamavisdar or native collector of a district, and in every Court within the zilla.

stamps how adequately supplied,

SECTION IV.—It shall be the duty of the Superintendent of stamps, and of the Collector of each zilla to keep the zilla constantly furnished with an adequate supply of the requisite stamps, and it shall further be the duty of the collector to make the same provision in regard to each subordinate vender.

and checked:

SECTION V.—The Superintendent and the several Collectors shall establish such official arrangements, in regard to the inspection of stamps, to indents, issues, receipts, and accounts of sale, and other matters of detail, as may be best calculated to ensure the detection of forgery, and to prevent illegal sales or lead to their discovery.

stamps on paper and on the leaf of the tar tree to be furnished:

SECTION VI.—*Clause* 1*st.*—The stamped material procurable from the proper public officers and venders shall be paper of the manufacture of the country, and the leaf of the tar tree in districts where that article is used.

Clause

A. D. 1827. REGULATION XVIII.

sizes of stamped paper how made known:

Clause 2d.—The various sizes of such stamped paper will be regulated by Government, and statements thereof shall be kept exposed to public inspection at the proper public offices, and the shops of the authorized venders; and any vender failing to conform to this rule shall be punishable by the Collector under the rules contained in Regulation XVI A. D. 1827 Section IX:

any material whatever will, on being presented, be stamped:

Clause 3d.—Provided always, that any person shall be enabled (without prejudice to the provisions of Section XIII of this Regulation) to procure the requisite stamp to be impressed upon any material of whatever size, which can without great inconvenience be stamped, by presenting the same with the price of the stamp, at the Presidency to the Superintendent of stamps, or elsewhere to the Collector for transmission to the Superintendent, whereupon it shall be duly stamped and returned to the owner.

particulars of the stamp:

SECTION VII.—*Clause 1st.*—All paper and other material issued under the authority of this Regulation, shall be stamped at the General Stamp Office, with a die bearing an inscription of the value of the stamp, in the English, Persian, Mahratta and Guzerattee languages:

and of the counterstamp at the treasury:

Clause 2d.—It shall also be counter-stamped at the General Treasury with a die, bearing the following inscription in the same languages viz. " *General Treasury* 18—:"

also of its authentication by signature:

Clause 3d.—It shall also be endorsed with the official signature of the Superintendent of stamps, or of an Officer acting under his authority with the sanction of the Governor in Council.

misconduct of venders how punishable:

SECTION VIII.—Delay or hindrance in furnishing purchasers with stamped paper, and misconduct generally on the part of venders shall be punishable under the rules contained in Regulation

lation XVI A. D. 1827 Section IX, and any vender receiving more than the legal value of a stamp may be prosecuted both civilly and criminally as for extortion under the rules contained in Regulation XVII A. D. 1827 Section XVI.

Illegal sales and purchases of stamped paper punishable:

SECTION IX.—*Clause* 1*st*.—All persons, except the Superintendent of stamps, the Collectors of land revenue and the authorized venders, are prohibited from selling stamps, as also from purchasing them, except from a person authorized to sell them, and any person acting in opposition to this prohibition shall be punishable with fine, imprisonment not exceeding five (5) years, and flogging:

but a holder of a stamp may sell it back to the vender:

Clause 2*d*.—Provided however, that the holder of a stamp may return it to the person who lawfully sold it; and such person shall repay the price thereof on being made acquainted with the name and place of residence of the holder, and other particulars, regarding which, for the purpose of preventing fraud, he may be authorized under Section V of this Regulation to demand information.

CHAPTER II.

OF STAMPS REQUIRED TO BE USED BY INDIVIDUALS IN THEIR TRANSACTIONS WITH EACH OTHER.

Bonds and other specified documents of a value exceeding 16 Rupees executed within the zillas must be stamped:

SECTION X.—*Clause* 1*st*.—No bond, promissory note, bill of exchange, letter of credit, deed of contract, marriage settlement, partnership, or agreement, security or engagement, and no deed of sale, gift, devise, mortgage, or other transfer or limited assignment of property, moveable or immoveable, unless the instrument be for a sum or value not exceeding sixteen (16) Rupees, in which case it is hereby enacted that a stamp is not required, shall, if *executed within any of the zillas* subordinate to the Presidency of Bombay, be valid unless duly stamped.

Clause

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Clause 2d.—But a bond or other writing, though *executed within the said zillas,* if expressly intended *to take effect beyond them,* shall be received as a valid instrument, if it bears the stamp required for such writing in Great Britain or any of the Governments of British India, within which it was originally intended to take effect, or, if it is subsequently impressed with the stamp that would have been required, had it been executed to take effect within any zilla.

Exception if the document is intended for enforcement beyond such zillas:

Clause 3d.—All engagements and releases between Government or its officers and individuals are however to be received and admitted in evidence or filed in any Court of Judicature, although not written on stamped paper, as also all leases and their counterparts, or other engagements of a similar nature relating to the rent of land passed between landholders and their tenants, whether or not the said land pay revenue to Government.

or if it be an official engagement or relate to the rent of land:

SECTION XI.—No bond, or other writing of any of the descriptions specified in the 1st Clause of the preceding section, though *executed beyond the zillas* subordinate to the Presidency of Bombay, shall be valid unless duly stamped, if originally expressly intended to *take effect within the zillas.*

Bonds and other specified documents executed *beyond* the zillas for enforcement *within* them must be stamped:

SECTION XII.—*Clause 1st.*—Every bond or other writing which is of any of the descriptions specified in section X clause 1st of this Regulation and which requires to be written upon a stamp, if it is for a specific sum of money, or if it transfers or assigns property of a value specified therein, shall, with the exceptions specified in Appendix B, be written upon a stamp of a value to be regulated by the rates contained in the said Appendix B.

stamp required for bonds and other specified writings when for a particularised value.

Clause 2d.—But if such bond or other writing is not for a specific sum, or does not specify the value of the property thereby transferred or assigned, it may be written either upon a stamp

and when not:

stamp of the value of eight (8) Rupees, or upon a stamp of any value, provided that, in the latter case no judgment shall be given thereupon, beyond the utmost sum, which by the rule contained in Clause 1st of this section could be secured by the stamp used.

Penalty to be paid on procuring subsequently a stamp originally required:

SECTION XIII.—*Clause 1st.*—A person possessing a bond or other writing requiring to be written upon a stamp, but which is written either on paper or other material not stamped, or on a stamp of a value below what is required, may procure such bond or writing to be duly stamped by presenting it to any Collector of land revenue with the price of the proper stamp, and a penalty to Government equal to twenty times such price:

exception in certain cases:

Clause 2d.—But a bond or other writing of the description specified in Section X Clause 2d may be stamped *at any time*, and a bond or other writing of the description specified in Section XI of this Regulation may be stamped *at any time within one year from its date*, upon payment of the price of the proper stamp only:

mode in which the stamp is to be furnished:

Clause 3d.—The Collector on receiving a bond or other writing, for the purpose of being stamped, shall transmit it to the Superintendent of stamps with a certificate that the price with the penalty (if any was incurred) has been paid, whereupon the Superintendent shall cause the bond or other writing to be duly stamped, and at the same time mark thereon the date on which it was stamped, adding his official Signature; after which he shall return it for the use of the owner.

validity of bonds &c. subsequently stamped how regulated:

SECTION XIV.—*Clause 1st*—A bond or other writing stamped after its original date, *if executed within the zillas* subordinate to the Presidency of Bombay shall, so far as it is affected by the stamp, become valid against the grantor from its original

ginal date, but, as to the rights of third parties, the date of its being stamped shall be held to be its real date:

special provision if the bond &c. were intended for enforcement abroad:

Clause 2d.—But if such bond or other writing *executed within the zillas* was expressly intended to *take effect beyond them*, it shall whenever stamped become valid from its original date:

or if it was executed abroad for enforcement in the Bombay zillas:

Clause 3d.—Or if such bond or other writing was *executed beyond the zillas*, but originally expressly intended to *take effect within them*, it shall, *if stamped within one year*, become valid from its original date: *if stamped after one year*, it shall be subject to the same rules and penalties as a bond or other writing executed within the zillas subordinate to Bombay, and intended to take effect therein.

CHAPTER III.

OF STAMPS REQUIRED TO BE USED IN LAW PROCEEDINGS, AND FOR THE AUTHENTICATION OF CERTAIN PUBLIC DOCUMENTS AND PAPERS.

Stamp required for plaints and appeals:

SECTION XV.—*Clause 1st.*—In all suits and appeals in any Court of Civil Judicature, every original plaint, every ordinary petition of appeal, and every petition for a special appeal against any decree, shall, with the exceptions specified in Appendix C, be written on paper bearing a stamp of a value proportioned to the amount sued for or appealed against, according to the rates contained in the said Appendix C:

special provision when the suit is returned for a second trial:

Clause 2d.—But, if the result of an appeal has been to remit the suit for decision on its merits to the Court which originally tried it, and an appeal is afterwards preferred against the decree deciding the cause on its merits, the second petition of appeal shall be written on paper bearing the stamp prescribed for an ordinary application to the Court in which the appeal is cognizable.

Clause

REGULATION XVIII. A. D. 1827.

and in the case of a supplemental plaint if it increase the sum sued for:

Clause 3d.—If a supplemental plaint is filed, increasing the amount of the sum sued for in the original plaint, it shall be written on paper bearing a stamp of a value proportioned to the amount of the additional sum demanded:

or if not:

Clause 4th.—But if the supplemental plaint does not increase the amount of the sum sued for in the original plaint, it shall be written on the stamp prescribed for an answer.

The writing plaints or appeals on inadequate stamps how punishable:

SECTION XVI.—*Clause 1st.*—If in the course of any suit or appeal it appears that the plaint or petition of appeal is written on paper bearing a stamp of less than the prescribed value, the Court, according to the degree of culpability of the person who presented it, shall direct him to annex an additional paper bearing a stamp, either of a value sufficient to make up the deficiency, or of the full value of the stamp that should have been used in the first instance, across the stamp of which additional paper shall be written the number of the suit or appeal, the names of the parties, and the number of the paper to which it is annexed:

particular provision when specific property is underrated

Clause 2d.—In like manner, if the value of any specific property sued for is estimated at too low a rate in the plaint or petition of appeal, the Court, if it appears to have been so estimated *bonâ fide*, and if the value assumed was not less than $\frac{3}{4}$ths of the real value of the property, at the time when the suit or appeal was filed, shall proceed according to the rules contained in the preceding Clause:

purposely, or below 3 | 4ths of its real value:

Clause 3d.—But if the value of the property appears to have been so estimated for the purpose of defrauding the revenue, or if the value assumed was less than $\frac{3}{4}$ths of the real value, the suit or appeal shall be dismissed.

stamps required for se-

SECTION XVII.—If a security bond executed in any stage of

of a suit or appeal, is either wholly or in part for the security of eventual costs, the amount of such costs shall, for the purpose of determining the stamp to be used, be assumed at one fifth of the sum sued for.

security bonds in suits;

SECTION XVIII.—*Clause* 1*st.*—Every answer, reply and rejoinder, every razeenama and vakalutnama, every application for summoning and examining witnesses or filing exhibits, for the revision of a decree, for a special appeal against orders issued either in the course of a suit or after the decree, or against orders issued in any other judicial proceeding, and generally, every application in any suit, appeal or judicial proceeding (not being of a criminal nature) shall, with the exceptions specified in Appendix D, be on paper bearing a stamp of the value prescribed for each respectively in the said Appendix D.

answers and other documents,

Clause 2*d.*—In applications to summon or examine witnesses, or to file exhibits, it shall not be necessary to file a separate application for each witness or exhibit, provided that, if more witnesses or exhibits than one are included in the same application, it be written upon a stamp of the aggregate value of the stamps that would have been used, had a separate application for each witness or exhibit been made.

also applications for examining witnesses and filing exhibits:

SECTION XIX.—Every sunnud granted under the authority of the Regulations or with the sanction of Government, every certificate of heirship, executorship, or administratorship, and every certificate granted by a Kazee in his official capacity, shall bear a stamp of the value prescribed for each respectively in Appendix E.

sunnuds and other similar documents,

SECTION XX.—Every copy of a decree of any judicial Court, except that of a Commissioner, every copy of judicial or revenue proceedings, of papers contained in any register, of statements, accounts, reports and other documents of whatever description requiring to be authenticated by any public officer, and not being

also copies of decrees and official papers requiring authentication.

being for public record for the use of Government or its officers acting in an official capacity, shall bear a stamp of the value prescribed for each respectively in Appendix F.

In the documents specified in Chapter III unstamped material may be added to the stamped.

SECTION XXI.—Should the length of any of the documents mentioned in this Chapter be such as to prevent its being comprized in one piece of the stamped material furnished by the venders, unstamped material may be added as required, provided that the several portions be firmly joined together, so as to resist future separation, and that, for the surer detection of the same if effected, the authority issuing or receiving the document shall affix his signature across each place of junction.

APPENDIX A.

Form of oath to be taken by the Superintendent of Stamps.

I. A. B. appointed Superintendent of stamps solemnly swear, that I will diligently and faithfully execute the duties of the said office, according to the best of my knowledge and judgment, and that I will not directly or indirectly derive, or knowingly allow any person to derive any pecuniary advantage or emolument, from, or on account of any matters relating to the said office, excepting such as may be expressly authorized by the Governor in Council.

So help me God.

APPENDIX B.

Table shewing the value of the stamp to be used for every bond, promissory note, bill of exchange, letter of credit, deed of contract, marriage settlement, partnership or agreement, security or engagement (with the exception of engagements and releases between Government or its officers and individuals and leases and their counterparts, or other similar engagements relating to the rent of land, passed between landlord and tenant

tenant as specified in Section X Clause 3d) and for every deed of sale, gift, devise, mortgage or other transfer or limited assignment of property moveable or immoveable, of a value specified in such deed.

If for a sum or value not exceeding 16 Rupees, no stamp is required.

If for a sum or value above			the stamp required is of the value of	Rs.	Annas.
16 Rupees	but not exceeding	32 Rs.	....	0	1
32	.....	64....	....	0	2
64	.....	125....	....	0	4
125	.....	250....	....	0	8
250	.....	500....	....	1	0
500	.....	1,000....	....	2	0
1,000	.....	2,000....	....	4	0
2,000	.....	5,000....	....	8	0
5,000	.....	10,000....	....	16	0
10,000	.....	20,000....	....	30	0
20,000	.....	50,000....	....	50	0
50,000	.....	100,000....	....	100	0
100,000	Rupees to whatever amount		....	150	0

APPENDIX C.

Table shewing the value of the stamp to be used for every plaint and petition of appeal filed in a civil suit.

In original suits.

If the plaint be for a sum or value not exceeding 100 rupees, no stamp is required.

In appeals, regular and special.

If the amount sued for or appealed against do not exceed 1 rupee, no stamp is required.

If it be above			the stamp required is of the value of	Rs.	Annas.
1 Rupee	but do not exceed	2 Rupees	....	0	2
2 Rupees	.....	5	....	0	4
5	.....	10	....	0	8
10	.....	20	....	1	0
20	.....	30	....	2	0
30	.....	40	....	3	0
40	.....	50	....	4	0
50	.....	75	....	5	0
75	.....	100	....	7	0

In

REGULATION XVIII. A. D. 1827.

In original suits, and appeals, regular and special.

If the sum sued for or appealed against be above					The stamp required is of the value of	Rs.	Annas.
100	Rs. but do not exceed	200	Rupees		..	10	0
200	.....	300	.....		..	20	0
300	.....	500	.....		..	30	0
500	.....	1000	.....		..	50	0
1000	.....	1500	.....		..	70	0
1500	.....	3000	.....		..	100	0
3000	.....	5000	.....		..	150	0
5000	.....	7500	.....		..	200	0
7500	.....	10,000	.....		..	250	0
10,000	.....	15,000	.....		..	350	0
15,000	.....	25,000	.....		..	500	0
25,000	.....	50,000	.....		..	750	0
50,000	.....	100,000	.....		..	1000	0
100,000	to whatever amount.....				..	2000	0

APPENDIX D.

Table shewing the value of the stamp to be used for every answer, reply and rejoinder; every razeenama, and vakalutnama, every application for examining, or for summoning and examining a witness, or filing an exhibit, for the revision of a decree, for a special appeal against orders issued either in the course of a suit or after the decree, or against orders issued in any other judicial proceeding, and generally every application filed in any suit, appeal, or judicial proceeding not being of a criminal nature.

In original suits,

If the sum sued for do not exceed 100 rupees, no stamp is required for any pleading or paper filed.

In appeals, regular and special,

If the sum sued for or appealed against do not exceed 1 rupee, no stamp is required for any pleading or paper filed.

If it be above					the stamp required for each document filed is of the value of	Rs.	Annas.
1	Rupee but do not exceed	25	Rupees		..	0	1
25	Rupees.....	50	.....		..	0	2
50	.....	100	.....		..	0	4

In

A. D. 1827. REGULATION XVIII.

In original suits and appeals, regular and special,

If the sum sued for or appealed against be above					the stamp required for each document filed is of the value of	Rupees	Annas.
100	Rupees, but	200	Rupees		..		8
200	do not exceed	500	....		..	1	
500		1500	....		..	2	
1500	Rupees to whatever amount				..	4	

For every application for the revision of a decree, or for a special appeal against orders issued either in the course of a suit or after the decree, or against orders issued in any other judicial proceeding, and generally for every application, pleading, or vakalutnama filed in any judicial proceeding, not being an ordinary suit or appeal, regular or special, nor in the Criminal department,

	Value of Stamp, Rs.	Annas.
In the Court of an Assistant Judge....		8
In the Court of a Zilla Judge.....	1	
In the Court of Suddur Adawlut.....	2	

APPENDIX E.

Table shewing the value of the stamp to be used for every sunnud granted under the authority of the Regulations, or by the sanction of Government, for every certificate of heirship, executorship, and administratorship, and for every certificate granted by a Kazee in his official capacity.

	Value of Stamp, Rupees	Annas.
For every sunnud.....	10	
For every certificate of heirship, executorship, and administratorship....	4	
For every certificate granted by a Kazee in his official capacity.....	2	

APPENDIX F.

Table shewing the value of the stamp to be used for every copy of a decree passed in any judicial Court, except that of a Commissioner,

REGULATION XVIII. A. D. 1827.

Commissioner, for every copy of Judicial or Revenue proceedings, of papers contained in any register, of statements, accounts, reports and other documents requiring to be authenticated by any public officer, and not being for public record, or for the use of Government or its officers acting in an official capacity.

For every copy of a decree in a suit or appeal,

		Value of Stamp, Rs.	Annas.
If the sum sued for or appealed against does not exceed	50 Rs.		8
If it be above 50 Rupees but do not exceed 100 Rupees	the stamp required is of the value of	1	
If it be above 100 500	the stamp required is of the value of	2	
If it be above 500 1,000	the stamp required is of the value of	3	
If it be above 1,000 5,000	the stamp required is of the value of	4	
If it be above 5,000 to any amount	the stamp required is of the value of	5	
For copies of other papers requiring to be authenticated by any public officer the stamp required is of the value of			8

(Revenue Branch.)

A. D. 1827. REGULATION XIX.

A REGULATION *for the Presidency, prescribing rules for the assessment and collection of the land revenue; and for collecting taxes on shops and stalls, on beating the Battakee or making proclamation by the crier, on country music, on wedding sheds and places of public amusement, on houses, on carriages and on horses; for causing individuals who may sell or transfer houses or tenements subject to quit or ground rent to give notice of the same to the Collector; and also for levying fees in the Court of Petty Sessions, and Police Offices.*—PASSED *by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbat or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Ahkir* 1242 *of the Hijree.*

Consisting of six (6) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Rules for the assessment and collection of the land revenue and trial of revenue suits at the Presidency*.....	I.
II.	*Rules for the collection of the tax called "Market Fees" on shops and stalls, on beating the Battakee, on country music, and on the erection of wedding sheds and other places of public amusement*.....	IX.
III.	*Rules for levying a tax on houses on the Island of Bombay, situated beyond the limits of the Town of Bombay, and on the Island of Colaba*.....	XVII.
IV.	*Rules for levying a tax on carriages and riding horses, on the Island of Bombay*...	XXIV.
V.	*Rules for giving notice to the Collector of Bombay of the transfer of the possession of lands, houses or tenements subject to quit or ground rents*.....	XXIX.
VI.	*Rules for levying fees in the Court of Petty Sessions, and in the Offices of the Magistrates of Police*.....	XXX.

LIBRARY
OF THE
BOMBAY
BRANCH
OF THE
ROYAL ASIATIC SOCIETY.

(Revenue Branch.)

REGULATION XIX. A. D. 1827.

A REGULATION *for the Presidency, prescribing rules for the assessment and collection of the land revenue; and for collecting taxes on shops and stalls, on beating the Battakee or making proclamation by the crier, on country music, on wedding sheds and places of public amusement, on houses, on carriages and on horses; for causing individuals who may sell or transfer houses or tenements subject to quit or ground rents to give notice of the same to the Collector; and also for levying fees in the Court of Petty Sessions, and Police Offices.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is expedient that the principles, on which the land revenue at the Presidency is assessed and collected, should be defined and published, and whereas it has further been deemed expedient, under the authority of the British legislature for such purpose given, to levy certain taxes and fees at the Presidency of Bombay, the following rules have therefore been enacted to have effect from such date as shall be prescribed in a regulation to be hereafter passed for that purpose.

CHAPTER

REGULATION XIX. A. D. 1827.

CHAPTER I.

RULES FOR THE ASSESSMENT AND COLLECTION OF THE LAND REVENUE, AND TRIAL OF REVENUE SUITS AT THE PRESIDENCY.

Appointment of the collector and his subordinate officers:

SECTION I.—*Clause 1st.*—There shall be a Collector of Bombay for the purpose of collecting the land revenue of the Presidency, and he shall have so many assistants and such other establishment as may be found necessary.

oaths of the collector and his assistants:

Clause 2d.—The Collector and each of his assistants shall, previously to exercising any of the functions of their offices, take before the Governor in Council, the oath prescribed for Revenue Officers by 33d Geo. III Chap. 52, Section 61.

revenue officers how amenable to the revenue Judge:

SECTION II.—The Collector and his assistants and native officers shall, with respect to acts done by them in their official capacities, be amenable by Civil prosecution to the jurisdiction of the Revenue Judge hereinafter constituted.

assessment and levy of land revenue how conducted.

SECTION III.—*Clause 1st.*—The land revenue of the Presidency shall be assessed and levied by the Collector and his assistants, according to the principles laid down in Regulation XVII A. D. 1827 Section III, the three first Clauses of Section IV, Section V, and the first Clause of Section VI: the Collector shall further be empowered to attach and sell by auction land on which revenue is due, equally with other property of the defaulter.

the collector has the decision on doubtful points,

Clause 2d.—The Collector's decision upon any question arising out of the provisions contained and quoted in the preceding clause shall, unless superseded by the decree of the Revenue Judge, constitute the rule, and shall be acted upon accordingly, but, if the said decision should involve any change in the practice previously prevailing, and the occupant should, previously to the full enforcement of the decision and within the period of thirty (30) days

days from the date when such decision was made known to him, pledge himself in writing to institute a suit before the Revenue Judge, for the purpose of trying the legality of the Collector's decision, enforcement shall be stayed until the expiration of the abovementioned period, after which it may take place, if there shall be no such suit on the part of the occupant before the Revenue Judge: but nothing herein contained has reference to the limitation of time for the institution of the suit, which is as prescribed in Chapter I Regulation V A. D. 1827.

but its enforcement may be stayed for a period unconnected with the limitation rules.

SECTION IV.—*Clause 1st.*—The Collector shall cause public notice to be given, to all occupants of land paying revenue, of the periods when the land revenue becomes due, and if subsequently to the said periods any occupant shall for the space of twenty (20) days after demand of payment fail to discharge the revenue due, it shall be lawful for the Collector to levy the same by attachment and sale of the property of the defaulter, inclusive of the land on which the revenue is due: such sale shall be by public auction, and shall not take place until at least fifteen (15) days after notice given in the newspaper used for the publication of Government advertisements: it shall also be lawful for the Collector, if the sale of the defaulter's property should not produce satisfaction of the demand, to apprehend and confine the defaulter in the Civil jail, under the rules in force at the Presidency for the confinement of debtors, for which purpose a certificate of the demand under the Collector's signature sent with the defaulter shall be the Sheriff's sufficient warrant equally with the usual legal process in ordinary cases of arrest in execution of judgment for debt, provided however that such imprisonment shall cease at any time upon payment of the sum due, and that it shall in no case exceed one day for each rupee of the said sum;

Notice of the period when revenue is due to be given;

non payment met by attachment and sale of property,

and by imprisonment;

Clause 2d.—But, if the alleged defaulter should previously to the realization of the demand against him institute a suit before the Revenue Judge to try its legality, all measures in execution

but proceedings stayed if a suit is instituted and certain security given.

cution of such realization shall be stayed pending the trial of the suit, provided that the alleged defaulter shall give security satisfactory to the Collector or the Revenue Judge, that he will in the interim neither quit the jurisdiction, nor remove or transfer any of his property therein, without providing to the satisfaction of one of the said authorities for the execution of the decree.

Illegal exactions as revenue demands or by revenue officers punishable by forfeiture:

SECTION V.—All undue exactions made under the colour or by the exercise of the authority of any land revenue officer, and the acceptance of any present by any person charged with any duty in the land revenue department towards the individual giving the same, shall be punishable by forfeiture not exceeding three (3) times the amount of the illegal receipt; such forfeiture to be recovered in His Majesty's Supreme Court of Judicature for Bombay by *ex officio* information there exhibited by the Advocate General or other principal law officer of Government, the amount recovered, after payment of all costs incurred in the recovery, being in the first place applied to the indemnification of the person from whom the illegal receipt was made, unless collusion in misconduct appear against him, and one half of the remainder, or of the whole, (after payment of costs as aforesaid) when such indemnification is not made, being paid as a reward to the informer or informers.

recovered in the Supreme Court,

and applied partly as redress and as reward to informers.

The senior magistrate of Police is Revenue Judge:

his oath as such: (Appendix A.)

SECTION VI.—The Senior Magistrate of Police in the Island of Bombay shall be Revenue Judge at the Presidency, and shall in that capacity, previously to discharging any of the functions of his office, take before the Governor in Council the oath contained in Appendix A.

he decides suits on account of revenue or official acts of revenue servants,

SECTION VII.—*Clause 1st.*—The Revenue Judge shall decide all suits brought before him by contributors to the land revenue at the Presidency against the Collector or any person on his establishment on account of land revenue, or of acts done in their official capacities by persons in the land revenue department of the Presidency;

A. D. 1827. REGULATION XIX.

Presidency; the amount of each suit shall be fixed as prescribed in Regulation IV A. D. 1827 Section III Clause 1st, and an institution fee amounting to one twentieth of such amount shall be levied: when a suit is instituted, the Revenue Judge shall proceed in all applicable cases according to Regulation IV A. D. 1827 Section V Clause 2d, except that the period of thirty (30) shall be substituted for that of ninety (90) days, and in all other respects shall conform in the trial of the suit to the general rules contained in the above quoted Regulation.

fees on such suits,

rules for their trial,

Clause 2d.—In summoning and examining witnesses, the Revenue Judge shall possess the same powers as if he were conducting a criminal investigation as Senior Magistrate of Police.

and powers of the revenue Judge for such purpose.

Clause 3d.—The ~~decree of the~~ Revenue Judge, if it be against the Collector, shall on the Collector's responsibility be fulfilled, unless appealed from according to law under instructions from Government; if it be against the occupant, it shall be enforced by the Collector under Section IV Clause 1st as an established revenue demand, provided however that execution shall be stayed, if an appeal be made, and the security described in the 2d clause of that section be furnished.

The revenue Judge's decree how enforced,

and when kept unexecuted;

SECTION VIII.—The decree of the Revenue Judge shall be appealable as a Zilla Judge's original decree to the Suddur Dewanee Adawlut, and the decree of that Court appealable to the King in Council, under the rules contained in Regulation IV A. D. 1827.

an appeal lies to the Sudder Adawlut and from thence to the King in Council.

REGULATION XIX. A. D. 1827.

CHAPTER II.

RULES FOR THE COLLECTION OF THE TAX CALLED "*MARKET FEES*" ON SHOPS AND STALLS, ON BEATING THE BATTAKEE, ON COUNTRY MUSIC, AND ON THE ERECTION OF WEDDING SHEDS AND OTHER PLACES OF PUBLIC AMUSEMENT.

Quarterly assessment on shops and stalls.

(Appendixes B and C.)

SECTION IX.—*Clause 1st.*—The Collector of land revenue at Bombay shall make a quarterly assessment on each and every shop and stall within the Town and Island of Bombay, according to the rates enumerated in Appendixes B and C.

Subordinate Collectors.

Clause 2d.—The amount of this assessment shall be collected by the Collector and received in the first instance by such person or persons as he may appoint, such security having been given for the due discharge of the office as the said Collector may require, and the same liabilities and responsibilities, as attach to individuals employed in the collection of the land revenue of the Presidency, shall apply to all persons respectively engaged in collecting the tax.

Receipts.

Clause 3d.—The tax shall be collected quarterly, and for each payment made a receipt signed by the Collector shall be given by the person receiving the amount.

Licences for places of temporary amusement:

SECTION X.—All persons desirous of erecting wedding sheds or other places of temporary amusement in or upon any part of the public streets or roads, shall apply for licence to erect the same to either of the Magistrates of Police, who are hereby authorized and required to grant such licence, unless they see good cause for refusing the same, and to direct the Engineer officer

measurement of ground required:

attached to the Court of Petty Sessions to measure off and mark out the space of ground required, or so much of the same as they or either of them may think proper, and, on the space of ground being so marked out and measured, the Engineer

certificate by the Engineer.

officer is hereby required to deliver a certificate of the space so marked

marked out and measured to the party obtaining the said licence, and a duplicate of the same to the Collector of Bombay; and the said Collector is hereby authorized and required to make an assessment upon each and every person enclosing such space, so marked out, as aforesaid, at the rate of five (5) rupees a night for every space not exceeding ten (10) square yards so taken in and enclosed and for every such space exceeding ten (10) square yards, at the rate of one (1) rupee a night for every square yard so enclosed.

rate of assessment:

SECTION XI.—Any person presuming to enclose any part of the public streets or roads, for the purpose of erecting a wedding shed, or other place of temporary amusement, without having previously obtained such licence as aforesaid from one of the Magistrates of Police, and such certificate as aforesaid from the Engineer officer, shall forfeit the sum of five (5) rupees a night for every square yard so enclosed as a penalty, and any person taking in or enclosing a greater space of ground than what was marked out and measured off by the said Engineer officer, and included in such certificate as aforesaid, shall be surcharged and shall forfeit as a penalty for the same at the rate of five (5) rupees a night for every square yard so enclosed, which shall not have been so marked out and measured and included in such certificate.

Penalty for occupying without licence.

SECTION XII.—*Clause 1st.*—All persons desirous to use or employ country music without doors shall apply for a licence in writing so to use or employ the same, to either of the Magistrates of Police, who are hereby authorized to grant such licence, unless they should see good reason for refusing the same: the licence shall be in the form of Appendix D, specifying the number of days for which it is granted, and intimating moreover that it is of no effect until countersigned by the Collector, in testimony of the payment of the fees imposed by Regulation on the use of country music.

Licence for using country music without doors,

(Appendix D.)

Clause

REGULATION XIX. A. D. 1827.

Rate of assessment.

Clause 2d.—All persons using or employing such music as above described shall be assessed, at the rate of one (1) rupee a day, for the period specified in their licences, and any person so using or employing such music without a licence granted and countersigned as above, or for any period exceeding the number of days specified in such licences, shall be liable to a fine of five (5) rupees for every day that such unlicensed music shall be so used or employed.

Penalty.

Licences for public notices of sale &c.

(Appendix E.)

SECTION XIII.—*Clause 1st.*—All persons desirous of giving public notice by beat of battakee of the sale of any house, building, land, or other immoveable property, or of the sale of any goods or chattels, or of publicly offering or giving any other kind of lawful public notice by beat of battakee, shall obtain a licence in the mode prescribed in the preceding Section in the form of Appendix E from either of the Magistrates of Police, and procure the countersignature of the Collecior upon the same, and the Collector previously to affixing his countersignature shall levy the following fees upon each licence respectively:

Rate of assessment:

	Rs.	qr.	rs.	
For giving public notice by beat of battakee of the sale of any house, land, or other tenement, at the rate of.....	2	2	0	For each notice.
For giving the said public notice of the sale of any goods or chattels at the rate of.....	1	0	0	
For giving the said public notice of any reward that may be legally offered, or for any other public notice at the rate of.....	½	¢	0	

Penalty.

Clause 2d.—Any person giving the public notice specified in the preceding clause without licence granted and countersigned as therein prescribed, shall be liable to a fine of rupees five (5) for every such offence.

SECTION

A. D. 1827. REGULATION XIX.

SECTION XIV.—*Clause* 1*st.*—All fines, penalties and forfeitures incurred under this chapter shall be adjudged and determined, upon oath, by the Collector, if he be a Justice of the Peace, and, if not, then by any Justice of Peace acting within the Presidency of Bombay; and, in case of non-payment of any of the assessments, surcharges, fines, penalties or forfeitures specified and become due by virtue of this or any preceding section in this chapter, for the period of eight (8) days after the demand of the same, then, upon proof upon oath that such assessment or surcharge has been duly made, or such fine, penalty or forfeiture has been duly adjudged, and such demand made, and no appeal, as hereinafter allowed, made or entered in the Court of Petty Sessions, before the Collector, if he be a Justice of the Peace, and, if not, then before any Justice of the Peace, (being the Justice before and by whom the conviction is taken, in case of any fine, penalty or forfeiture adjudged against any person) such Collector or Justice is hereby authorized and required to levy the same, on warrant under his hand and seal, by distress and sale of the offender's goods and chattels, and the overplus of the money raised, after deducting the amount due and the expenses of distress and sale, shall be rendered to the owner:

assessments &c. leviable by distraint and sale,

Clause 2*d.*—The warrant to be issued in levying by distress and sale shall be in the form contained in Appendix F:

under warrant, (Appendix F.)

Clause 3*d.*—And if distress and sale, authorized under the two preceding clauses, shall not be sufficient to effect the discharge of the amount due, it shall be lawful for the Justice of Peace aforesaid, upon proof thereof upon oath, to commit the defaulter to the gaol of Bombay, there to remain for a period not exceeding one calendar month, provided, moreover, that the defaulter shall at any time be released upon payment of the amount due.

and finally imprisonment may be adjudged.

SECTION XV.—Any person, who shall feel himself aggrieved by

Appeal to Court of Petty Sessions,

by any assessment, surcharge, fine or penalty demanded by the Collector or imposed by any Justice of Peace, in pursuance of the provisions contained in this Chapter, is at liberty to appeal to the Court of Petty Sessions, within eight (8) days after such demand, giving ten (10) days' notice of trial to the authority by whom the surcharge, fine or penalty was demanded or imposed, and the said Court is hereby authorized and required to affirm, reduce or disallow such assessment, surcharge, fine, or penalty, according as it may think just and equitable, and at its discretion to order, as to payment of the taxed costs of such appeal to be borne by either party, but, if the above prescribed ten (10) days' notice of trial has not been given, the Court shall dismiss the appeal, and confirm the assessment, surcharge, fine or penalty demanded, and the determination of the Court upon the appeal shall be final, and the Justice of Peace is hereby authorized and required to resort to distress and sale, and imprisonment as aforesaid, for the purpose of levying the amount adjudged by the Court of Petty Sessions, or, if no appeal has been duly entered, the amount demanded or imposed as aforesaid.

application of the money levied:

SECTION XVI.—*Clause 1st.*—And it is hereby further ordained, that the amount of all the said payments so to be demanded and enforced as herein before provided, shall be, *in the first instance,* applied to the maintenance of the police and of the public markets, and *secondly,* to the draining and improvement of the Island of Bombay, under the inspection and subject to the control of the Court of Petty Sessions aforesaid, which shall be empowered to make order on the Collector for disbursement of the sums required for the said purposes, and to call on him for accounts of the same on any occasion.

control of the Petty Sessions over the disbursements relative to police, public markets and improvements.

Clause 2d.—The said Court of Petty Sessions shall not be empowered to sanction the expenditure of any sum or sums of money under this chapter beyond the established charges for

the

the levy of the same without the previous sanction of the Governor in Council, to which authority the amount of such expenditure, and the completion of the work on which it was laid out, shall be reported by the said Court.

Sanction of Government necessary for expenditure beyond the established charges.

CHAPTER III.

RULES FOR LEVYING A TAX ON HOUSES, ON THE ISLAND OF BOMBAY, SITUATED BEYOND THE LIMITS OF THE TOWN OF BOMBAY, AND ON THE ISLAND OF COLABA.

SECTION XVII.—The house tax shall be collected by the Collector of Bombay and the officers of his establishment, under the rules contained in Section IX Clauses 2d and 3d, except that this tax shall be collected annually.

Annual collection of the House Tax.

SECTION XVIII.—*Clause* 1*st*.—The Governor in Council shall appoint an assessor, who, after taking and subscribing before the Senior Magistrate of Police the oath contained in Appendix G, shall enter upon the discharge of his duties as hereinafter specified.

Appointment of an assessor by Government.
Oath. (Appendix G.)

Clause 2*d*.—It shall be the duty of the assessor to make an assessment on dwelling houses of every description on the Island of Bombay beyond the limits of the Town of Bombay, and on the Island of Colaba, save and except those hereafter excepted by this Regulation, the annual rent or value of which shall be estimated by the said assessor at twenty (20) rupees and upwards, at the rate of five (5) per cent. on such annual rent or value; and where two or more houses, the annual rent or value of either of which shall be estimated by the said assessor below twenty (20) rupees, shall belong to the same owner, the said assessment shall be made, at the rate above stated, on the aggregate annual rent or value of such houses, provided the said aggregate annual rent or value shall amount to twenty (20) rupees and upwards.

Assessment to be 5 per cent. on annual value of houses within limits specified whenever such annual value of one or more houses to each proprietor is estimated at 20 Rupees and upwards.

SECTION

REGULATION XIX. A. D. 1827.

Exemption of religious edifices.

SECTION XIX.—*Clause* 1*st*.—All religious edifices are hereby declared to be exempt from the payment of the said tax.

and of temporary buildings within military cantonments occupied by officers and soldiers.

Clause 2*d*.—All temporary houses, bungalows or other temporary buildings situated within the limits of military cantonments, and occupied by European and native officers, or by the soldiers and sepoys of his Majesty's and the Company's army, shall be exempted from the payment of the said tax:

Abatement on account of houses unoccupied:

Clause 3*d*.—Owners of houses, which shall be unoccupied or uninhabited for three (3) successive months, or upwards, in any year, shall, on proof of the same to the assessor, be allowed a proportional abatement of the assessment on the said houses for the said year; such abatement to be refunded at the end of the year, or carried to the credit of the following year's assessment on the said houses, at the option of the owner.

annual assessment by the assessor.

SECTION XX.—The assessor shall annually make and return to the Collector of Bombay a new assessment on all the houses of the islands of Bombay and Colaba, situated beyond the limits of the town of Bombay and not excepted by this Regulation, as early as practicable, in each year, and, immediately after the assessment shall have been made and returned as aforesaid, a notice in the form of Appendix H shall be published in the newspaper used for Government advertisements, specifying that the assessor's books are open to public inspection, for the period of one month from the publication of the said notice, at the office of the Collector of Bombay.

notice of liberty for one month to inspect the assessor's books. (Appendix H.)

appeal to Court of Petty Sessions.

SECTION XXI.—*Clause* 1*st*.—Any person, who may be dissatisfied with the assessment made on his house or houses by the assessor, shall be at liberty to appeal to the Court of Petty Sessions; which Court is hereby authorized and required to confirm, reduce or disallow the said assessment in such manner as to it may appear to be equitable and just, and to order, at discretion

cretion, the payment of the taxed costs of such appeal by either party, and to certify such confirmation, reduction or disallowance to the Collector of Bombay, who is to recover the amount so confirmed or reduced accordingly.

how and when to be made:

Clause 2d.—All appeals to the Court of Petty Sessions must be made by petitions in writing during the month in which the assessor's books lie open for public inspection at the Collector's office as aforesaid, and no further time shall be allowed for the presenting or receiving such appeal; and ten days' notice of trial must also be given by the appellant to the Collector, in default whereof the Court shall dismiss the appeal, and confirm the assessment.

non-payment of the tax how visited:

SECTION XXII.—If within the space of eight (8) days, after the amount of this tax has been duly demanded from any individual, payment thereof be not made, then, upon proof thereof in the manner and before the authority specified in Section XIV Clause 1st, the Justice of Peace, before and by whom such proof is made, is hereby authorized and required to proceed as further directed in Section XIV in regard to the cases of non-payment therein provided for.

appropriation of the tax.

SECTION XXIII.—*Clause 1st.*—This tax shall be appropriated to the purposes of watching, improving, repairing and cleaning the streets of the town of Bombay, to the construction of drains, and to rendering the habitations of the Natives in other respects healthy and comfortable.

Plans of improvements to be sanctioned by Government,

Clause 2d.—The plans and estimates of any improvements which may be necessary for the purposes recited in the preceding clause, shall, in the first instance, be prepared under the superintendence of the Court of Petty Sessions, and submitted to the consideration and approval of the Governor in Council, to which authority the completion and expense of the same shall also be reported by the said Court.

Clause

REGULATION XIX. A. D. 1827.

and to be under control of the Court of Petty Sessions.

Clause 3d.—The said Court of Petty Sessions shall be empowered to make order on the Collector for any sums required for the preceding purposes, and to call on him for accounts of the receipts and disbursements on any occasion.

CHAPTER IV.

RULES FOR LEVYING A TAX ON CARRIAGES AND RIDING HORSES, ON THE ISLAND OF BOMBAY.

Rate of assessment on carriages and horses.

SECTION XXIV.—*Clause 1st.*—There shall be assessed and levied in the Island of Bombay,

On every four wheel carriage, 40 rupees per annum:

On every two wheel carriage on springs, 30 rupees per annum:

On every wheel carriage without springs, except such as are drawn by bullocks, 20 rupees per annum:

On every two wheel carriage used for riding and drawn by bullocks, 15 rupees per annum:

On every two wheel carriage used for carrying loads and drawn by bullocks, 5 rupees per annum:

On every riding horse, 6 rupees per annum.

Exemptions from the tax.

Clause 2d.—Exemptions from the above tax shall be allowed as follows:

The number of four wheel carriages on which assessment shall be chargeable, shall not, though more should be kept, exceed half the number of horses kept for drawing them, except that for a fractional quantity the next higher integral number shall be substituted:

The number of two wheel carriages on which assessment shall

shall be chargeable, shall not, though more should be kept, exceed the number of horses kept for drawing them, or half the number of bullocks kept for that purpose, except that, in the latter case, for a fractional quantity the next higher integral number shall be substituted:

Each military officer shall be allowed two riding horses exempt from assessment:

All carriages and horses employed by Government shall be exempt from assessment:

Such carriages and horses only shall be assessed as have been used on the public road during the quarter for which the assessment is made:

A person who may not have resided on the Island of Bombay during the whole of the quarter for which an assessment is made, shall not be included therein.

Quarterly list of horses and carriages assessable:

SECTION XXV.—*Clause 1st.*—The assessor shall every quarter of a year make a list in writing of the number of horses and carriages assessable, according to the preceding section, in doing which he is empowered to demand from all persons, and all persons are enjoined to give to the assessor, an account of such carriages or horses as they may have possessed during the said quarter liable to assessment.

abatement for any horse &c. sold during the quarter:

Clause 2d.—The owner of any horse or carriage, who may by sale, or gift or otherwise divest himself *bona fide* of proprietary right in the same, shall, on making a statement in writing of the said divesture, with the date, to the assessor on or before the next quarterly assessment, be allowed a proportional abatement in the assessment.

penalty for false statement.

Clause 3d.—Any person convicted in the manner and before the authority specified in Section XIV Clause 1st for adjudging fines, penalties and forfeitures, of wilfully giving a false account

or statement of the matters mentioned in the two preceding clauses, shall be liable to a surcharge of quadruple the sum which the assessment on any carriage or horse misstated should have amounted to, according to the enactments of this regulation, and the said surcharge shall be levied in the way fixed for levying the assessment in the succeeding section.

Appeals of overcharge how to be made to the Court of Petty Sessions, whose decision is final.

Clause 4th.—Persons overcharged by assessment or surcharge may appeal to the Court of Petty Sessions within eight (8) days' notice of the same, giving ten (10) days' notice of trial to the assessor, which appeal the said Court shall hear and determine, unless notice has not been given, in which case the Court shall dismiss the appeal and confirm the assessment or surcharge, and the determination of the Court upon such appeal shall be final.

Duties of assessor to be performed by the Engineer attached to the Court of Petty Sessions; punishment of opposition to the assessor or failure to furnish information duly required:

SECTION XXVI.—*Clause 1st.*—The Engineer officer attached to the Court of Petty Sessions shall perform the duties of assessor, and shall make quarterly returns to the Collector of land revenue of the number of carriages and horses assessable and the amount, and names of the owners respectively, and if any person shall wilfully obstruct the assessor or any of his deputies in the due execution of such office, or shall refuse or wilfully and unnecessarily delay to give the list required by Clause 1st of Section XXV upon demand made under the authority of the assessor, he shall for such offence, upon conviction thereof on the oath of one or more credible witnesses before the Court of Petty Sessions, forfeit such sum as the said Court may adjudge, provided it does not exceed the sum of one hundred (100) rupees, and such penalty shall be recoverable by distress and sale of the offender's goods and chattels in the usual manner.

mode of collection and levy by distress, and final resort to imprisonment.

Clause 2d.—The Collector shall receive the amount of assessment or surcharge, or may collect it by means of the officers of his establishment, as adverted to in Clause 2d of Section IX, after receiving the return, and, in either case, if it be

not

not paid within eight (8) days after demand, then upon proof thereof, in the manner, and before the authority specified in section XIV clause 1st, the Justice of Peace, before and by whom such proof is made, is hereby authorized and required to proceed as further directed in Section XIV in regard to the cases of non-payment therein provided for.

appropriation of the tax to a *road assessment fund*,

SECTION XXVII.—*Clause* 1*st*.—The amount collected, both as assessment and surcharge, shall be paid into the treasury, and a distinct and separate account of it shall be kept under the title of the "*Road assessment fund*," and shall be applied exclusively to the repair and improvement and construction of public roads on the island, situated without the limits of the Town of Bombay, under the inspection and control of the Court of Petty Sessions; provided that the said Court shall not be empowered to sanction any expenditure beyond the established charges of the department, without the previous consent of the Governor in Council.

under the control of the Court of Petty Sessions,

with consent of Government to extraordinary charges.

Orders for disbursements to be made by the Petty Sessions, to which Court the Collector will furnish accounts.

Clause 2*d*.—The Court of Petty Sessions is empowered to make order on the Collector for disbursement of such sums as may be required for the purposes mentioned in the preceding clause, and the Collector shall lay before the said Court annually, and also, whenever required, an account of all receipts and disbursements.

Reports to be made by the Court of Petty Sessions,

SECTION XXVIII.—The Court of Petty Sessions shall lay before the Governor in Council, from time to time, plans of such repairs and improvements and constructions of public roads as may occur, with estimates of the expense of executing them, and if approved of shall carry them into effect as laid down in the preceding section: it shall also report to the Governor in Council the completion of such works and the expense attending it.

REGULATION XIX. A. D. 1827.

CHAPTER V.

RULES FOR GIVING NOTICE TO THE COLLECTOR OF BOMBAY OF THE TRANSFER OF THE POSSESSION OF LANDS, HOUSES OR TENEMENTS SUBJECT TO QUIT OR GROUND RENTS.

Notice of transfer of lands &c. to be given to the Collector within 20 days.

SECTION XXIX.—Whenever the possession of any lands, houses, or tenements subject to the payment of quit or ground rents to Government shall be transferred, the person or persons transferring the same, and the person or persons to whom such possession shall be transferred, shall respectively cause notice thereof to be given to the Collector of Land Revenue in Bombay within twenty (20) days after such transfer shall be completed, and every person neglecting to give such notice, on conviction thereof in the manner and before the authority specified in Section XIV Clause 1st, or by confession before the said authority,

Penalty.

shall forfeit and pay the sum of ten (10) rupees, and, in case such penalty shall not be forthwith paid, it shall be lawful for the Justice of Peace, before whom the conviction took place, to proceed as further directed in Section XIV in regard to the cases of non-payment therein provided for; and every person transferring the possession of such lands, houses or tenements, without giving such notice, shall be liable, moreover, and under the same course of proceedings as in case of forfeiture, for such neglect, to the payment of the said quit and ground rents till such notice shall be given.

CHAPTER VI.

RULES FOR LEVYING FEES IN THE COURT OF PETTY SESSIONS, AND IN THE OFFICES OF THE MAGISTRATES OF POLICE.

Fees leviable in the Court of Petty Sessions and Police Offices.

SECTION XXX.—*Clause* 1st.—The following fees shall be levied in the Court of Petty Sessions and in the offices of the Magistrates of Police on the island of Bombay:

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	Rs.	qr.	reas.
For every complaint instituted when filed in the office of a Magistrate of Police.	0	2	0
For every complaint instituted when filed in the Court of Petty Sessions.	1	0	0
For summoning each party to answer before the Magistrate.	0	1	0
For summoning each party to answer before the Court of Petty Sessions.	0	2	0
For summoning each witness to attend in the office of the Magistrate, and for each person sworn, if the fee for summoning has not been paid..	0	0	50
For summoning each witness in the Court of Petty Sessions, and for each person sworn, if the fee for summoning has not been paid.....	0	1	0
For every voluntary affidavit.	1	0	0
For granting each certificate to the commanders of ships, on their arrival at and departure from the port of Bombay, payable on the delivery of the *role d'equipage* of their vessels.	5	0	0
For every commission to a Patell, Mukadum or Chogla of a Caste.	1	0	0
For every passport issued by the Senior Magistrate to Europeans.	2	0	0

Clause 2d.—The above fees shall be levied from the party at whose instance the respective process or matter may be undertaken, which shall be withheld until payment is made, unless the party be unable to defray the charge, or the Magistrate or Court from some other cause consider it inexpedient to demand it, in which case it shall be remitted; such remission, with the reasons for it, shall be entered in the complaint book to be kept at the office.

How to be levied and in what cases remitted.

SECTION XXXI.—*Clause 1st.*—The clerk of the Petty Sessions for the time being shall receive the whole fees abovementioned,

By whom to be levied.

tioned, and is hereby authorized and empowered himself to levy them, or to appoint, at each office of Police, some proper person, who shall levy the sums taken in pursuance of the provisions of this Chapter, and shall be accountable to him for all such sums.

Disposal how to be made and accounts how to be furnished.

Clause 2d.—The Clerk to the Petty Sessions shall, half yearly on the 1st day of January and the first day of July, furnish the Court of Petty Sessions with an account of the fees levied for the half year preceding, and pay the balance of such account into the hands of the Sub-Treasurer for the benefit of the County Fund; and the said Clerk of the Petty Sessions shall lay the said accounts before the Governor in Council or His Majesty's Justices, whenever required.

APPENDIX A.

(See Section VI.)

Form of oath to be taken by the Revenue Judge.

I, A. B. appointed Revenue Judge of Bombay, do solemnly swear, that I will, in the adjudication of the suits brought before me for decision, administer justice faithfully and impartially, comformably to the Regulations, to the best of my ability, knowledge and judgment, without fear, favour, promise or hope of reward, and that I will not directly or indirectly derive, nor suffer any person under my control to derive any emolument or advantages from my station, excepting such as the orders of Government do or may authorize.

So help me God.

Signed A. B.
Revenue Judge.

A. D. 1827. REGULATION XIX.

APPENDIX B.

(See Section IX *Clause* 1*st.)*

List of the rates at which shops and stalls, within the Bombay division of the town and Island of Bombay, shall be assessed according to Regulation XIX A. D. 1827.

Description of shops or stalls.	Rate to be paid per quarter. Rs.	qr.	reas.
Attarees or perfumers,	1	2	0
Aullers,	0	1	20
Bakers,	0	3	80
Bangle sellers,	1	2	0
Bhutiars, or Country eating houses,	0	3	0
Billet wood sellers,	0	1	20
Brick makers,	0	3	0
Carpenters,	0	3	0
Cattle Butchers (slaughterers,)	1	2	0
Cattle Butchers (sellers,)	1	0	0
China ware shopkeepers,	1	2	0
Chowkeseys or repairers of jewels	1	1	0
Chunam sellers,	1	0	0
Cloth shops,	1	0	0
Cooleys,	0	0	48
Coppersmiths,	1	0	0
Cotton sellers,	0	1	20
Dyers,	1	0	0
Earthen pot makers,	0	0	48
Europe shops (including the shops of natives, wholesale purchasers of European investments,)	5	0	0
Fowl sellers,	0	1	20
Fuddia, or Grain retailers,	1	0	0
Goat Butchers,	0	3	84
Goldsmiths,	1	2	0
Ironsmiths,	0	1	20
Leather Merchants,	0	1	20

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Description of shops or stalls.	Rate to be paid per quarter. Rs.	qr.	reas.
Liquor sellers,	0	0	96
Mat makers,	0	1	20
Milk sellers,	0	0	60
Mutton Butchers,	0	3	84
Oil makers,	1	0	0
Pearl and Coral sellers,	2	0	0
Pice shopkeepers,	5	0	0
Polishers,	0	1	20
Rattanners,	0	1	20
Rice sellers,	0	0	96
Ruffoogers, or repairers of Shawls &c.	0	1	20
Seed shops,	1	1	0
Shoemakers,	0	1	20
Straw sellers,	1	2	0
Sweetmeat makers,	1	0	0
Tailors,	1	0	0
Toddy sellers,	0	0	60
Turners	1	0	0
Wood Warehouse, 1st Class	1	2	0
Wood Warehouse, 2d Class	0	3	0

APPENDIX C.

(See Section IX Clause 1st.)

List of the rates at which shops and stalls within the Mahim division of the town and Island of Bombay, shall be assessed according to Regulation XIX A. D. 1827.

Description of shops or stalls.	Rate to be paid per quarter. Rs.	qr.	reas.
Aullers,	0	1	16
Bangle sellers,	1	0	0
Billet wood warehouse,	0	3	0
Bhundarys,	0	0	84

Choochia

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Description of shops or stalls.	Rate to be paid per quarter. Rs.	qr.	reas.
Choochia or Bhussary,.....	0	0	84
Chunam Kilns,.....	1	2	0
Cloth sellers,.....	1	0	0
Coppersmiths, ...	1	0	0
Fish sellers.....	0	0	60
Goldsmiths,.....	1	2	0
Hoondias, or Ferias.....	1	0	0
Ironsmiths.....	0	1	20
Mat makers.....	0	0	52
Milk sellers.....	0	0	84
Painters.....	0	1	16
Parah chopping,.....	0	0	60
Pot makers.....	0	0	52
Seed shops.....	1	1	0
Shroff pice sellers.....	1	0	0
Shoemakers.....	0	1	20
Sweetmeat sellers.....	1	0	0
Tailors.....	0	1	20
Wood sellers (in bundles).....	0	1	20

APPENDIX D.

(*See Section* XII *Clause* 1*st.*)

Form of licence for using Country music without doors.

No.

The bearer A. B. has permission, on procuring the countersignature of the Collector to this licence, to use country music without doors pursuant to Regulation XIX A. D. 1827 Section XII for the period of —— days from this date.

(Signed) C. D.

Magistrate of Police.

Bombay Police Office,

———————— 18——.

APPENDIX

REGULATION XIX. A. D. 1827.

APPENDIX E.

(See Section XIII *Clause 1st.)*

Form of licence for giving public notice by beat of Battakee.

No.

The bearer A. B. has permission, on procuring the counter-signature of the Collector to this licence, to give public notice by beat of battakee, pursuant to Regulation XIX A. D. 1827 Section XIII, on the (here enter the date or dates when the notice is to be given) that (here enter the substance of the notice.)

(Signed) C. D.
Magistrate of Police.

Bombay Police Office,
——————— 18—.

APPENDIX F.

(See Section XIV *Clause 2d.)*

Form of warrant for the levy of an assessment, surcharge or fine by distress.

To (name of the person charged with the execution of the warrant.)

Whereas in conformity with the regulation for the assessment of (here mention the object of assessment generally) A. B. was duly rated and assessed (*or* surcharged *or* fined, *as the case may be*) on account of (here enter, with such particulars as may be requisite, the precise object of assessment, surcharge or fine owned or used by the individual proceeded against, and, in the latter case, whether with or without licence) for the period of —— in the sum of rupees —— being at the rate of —— as prescribed by Section —— Regulation XIX A. D. 1827; and, whereas it duly appeareth before me, that the said sum of rupees —— has been lawfully demanded of the said A. B. for the space of eight (8) days past and upwards, and that the said

A. B.

A. B. hath refused, and doth refuse to pay the same; These are therefore to require you forthwith to make distress of the goods and chattels of him the said A. B. and if within the space of eight (8) days next after such distress by you taken, the said sum, together with reasonable charges of taking and keeping the said distress, shall not be paid, that then you do sell the said goods and chattels so by you distrained, and, out of the money arising by such sale, that you detain the said sum of rupees —— and also your reasonable charges of taking, keeping and selling the said distress, rendering to him, the said A. B. the overplus (if any be) on demand; and you are hereby commanded to certify to me what you shall do by virtue of this my warrant. Given under my hand and seal this —— day of —— in the year of our Lord 18—.

Justice of Peace.

APPENDIX G.

(See Section XVIII *Clause 1st.)*

Form of Oath to be taken by an assessor appointed under Section XVIII *Regulation* XIX A. D. 1827.

I, A. B. appointed to assess the house tax for the Island of Bombay beyond the limits of the town, and for the Island of Colaba, do swear, that I will assess the tax on the houses upon the Island of Bombay beyond the limits of the town, and upon the Island of Colaba, fairly and impartially, according to the rules prescribed in this Regulation, and that I will make a true return of the same to the Collector of Bombay.

So help me God.

(Signed) A. B.

Assessor.

REGULATION XIX. A. D. 1827.

APPENDIX H.

(*See Section* XX.)

Form of notice that the assessor's books are open to public inspection.

NOTICE IS HEREBY GIVEN,

That the assessor's book for the Island of Bombay beyond the limits of the Town, and for the Island of Colaba, containing the assessment on houses made and assessed according to Regulation XIX. A. D. 1827 now lies open at the Bombay Collector's office, and may be inspected from the —— of —— to the —— of —— by all persons concerned every day, (Sundays excepted) during the usual hours of business: And notice is hereby further given, that no appeals against the said assessment will be received after the said —— of —— next, on or before which day a written statement of every appellant's case must be forwarded to the Court of Petty Sessions; in failure whereof, the assessment will be enforced according to the provisions of the Regulation aforesaid,

BOMBAY COLLECTOR'S OFFICE,
—— of —— 18—.

(Revenue Branch.)

REGULATION XX. A. D. 1827.

A REGULATION *for the collection of customs and duties by sea and land, including rules for the control to be exercised by the Officers of the Marine and Sea Custom Department over coasting vessels and smaller craft.*—PASSED *by the Governor in Council on the* 1*st January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of nine (9) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Existing enactments temporarily maintained in force, in some points with reference to the Presidency and Guzerat, and in others with reference to the Presidency alone, and in others extended to Guzerat and the Konkans*	I.
II.	*Of establishments for collecting* Sea *Customs in the territories subordinate to Bombay, and of their internal management*	IV.
III.	*Rules regarding corrupt breach of duty by native officers in the department of Sea Customs at subordinates*	XI.
IV.	*Rules to be observed on the arrival of vessels, and for landing and transhipping goods at the ports of Guzerat and the Konkans*	XII.
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(Revenue Branch.)

REGULATION XX. A. D. 1827.

A REGULATION *for the collection of customs and duties by sea and land, including rules for the control to be exercised by the Officers of the Marine and Sea Custom Department over coasting vessels and smaller craft.*—PASSED *by the Governor in Council on the 1st January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is expedient that rules should be provided and promulgated for the collection of customs and duties by sea and land, and for securing a due control over coasting vessels and harbour craft, and whereas various changes, which it is desired to introduce in the rates of customs, require, in conformity with the Statutes of the British Legislature, to be first sanctioned by the Court of Directors, and approved by the Board of Control, which circumstance renders it necessary to maintain in force for the present the existing rules for determining the rates of customs at the Presidency of Bombay and in the territories subordinate thereto, and the rules for the Sea Custom Department in general at the Presidency with a few exceptions, the following rules have therefore been enacted to have effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER

REGULATION XX. A. D. 1827.

CHAPTER I.

EXISTING ENACTMENTS TEMPORARILY MAINTAINED IN FORCE, IN SOME POINTS WITH REFERENCE TO THE PRESIDENCY AND GUZERAT, AND IN OTHERS WITH REFERENCE TO THE PRESIDENCY ALONE, AND IN OTHERS EXTENDED TO GUZERAT AND THE KONKANS.

Certain existing enactments maintained in force for the Bombay Territories except the Konkans.

SECTION I.—*Clause* 1*st*.—The herein quoted enactments (with the exceptions mentioned in clause 2d of this Section, and in Section II, as well as with the exception of any other parts which may be found to relate to opium, spirituous liquors, tobacco, ganza, or snuff, and of such parts as may have been rescinded by any of the said quoted enactments) shall continue to be of force as at present at the Presidency of Bombay, and the subordinate territories to which they are respectively applicable:

Regulation VI A. D. 1799.

So much of Regulation IX —— 1800 as relates to the rate of duties.

Regulation I ——1803

—— I ——1805

—— I ——1810

—— II ——1810

—— X ——1813

—— VI ——1814 except (with respect to subordinates) so much as relates to the mode of conducting confiscations.

—— VIII ——1814

—— XIII ——1815

—— V ——1816

—— VIII ——1816 so far as regards the Presidency.

Regulation

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Regulation X A. D. 1816
———— II ——1817
———— VI ——1818
———— II ——1821
———— II ——1826 so far as regards the Presidency.

Parts of the said enactments rescinded,

Clause 2d.—The following parts of the above quoted enactments are rescinded as relating to articles, for which specific rules regarding the levy of customs are contained in Regulation XXI A. D. 1827:

The seventh, ninth, tenth, and twenty-first Clauses of Section VIII Regulation VI A. D. 1799:

So much of the first Clause of Section VI Regulation I A. D. 1803 as relates to tobacco:

Section XV Regulation I A. D. 1803:

So much of Section XVIII Regulation I A. D. 1803 as relates to liquors and tobacco.

Sections VII and IX Regulation I A. D. 1805:

Section V Regulation I A. D. 1810:

The 3d Clause of Section V Regulation XIII A. D. 1815.

So much of the Tariff of Duties mentioned in Regulation II A. D. 1817 as relates to spirituous liquors imported at the Presidency.

Penang, Bankot and Gogo admitted to the certificate privileges granted by Regulation to certain other ports.

Clause 3d.—The ports of Penang, Bankot, and Gogo are hereby declared open to the certificate privileges specified in the sixth clause of Section VIII and in Sections IX and X Regulation VI of 1799, and in Section IV Regulation I of 1805: the period for producing

producing the certificate, as alluded to in the last quoted section, is, for Penang, one hundred and eighty (180) days, and for Bankot and Gogo twenty one (21) days.

Rescission (except as excepted) of the rules for the levy of customs at Bombay on the particular invoice and actual market prices.

SECTION II.—*Clause* 1*st*.—Such parts of Regulation VI of 1799 and Regulation I of 1805, as prescribe that the Government Customs on goods imported at Bombay shall be levied on the invoice values and market prices, at the time of entry, of each importation of goods, are (except as maintained in force by this Section) hereby rescinded.

Customs to be levyed according to a Tariff list to be formed from invoices and market prices,

Clause 2*d*.—The value of all goods imported into Bombay, upon which Sea Customs are leviable, with the exception of those adverted to in Clauses 3d and 4th, shall be determined, as specified in a Tariff list, to be framed (in regard to goods upon which the Government Customs have heretofore been levied on the invoice value of each importation) from *bonâ fide* invoices to be applicable to all importations, and (in regard to goods which have heretofore paid duty on their market price at the time of entry) from the average market price for a period of three (3) years: the said Tariff list shall be prepared by a Committee to be appointed by Government, and composed of the Collectors of Sea Customs and Land Revenue of Bombay, and two or more respectable merchants, and, after being sanctioned and promulgated by Government, shall be of force: a copy shall be kept open to public inspection at the Custom House, and it shall be otherwise published as Government may direct: it shall be revised, as originally prepared, triennially, or oftener, if thought necessary by Government, and the Tariff list framed on revision shall, on been sanctioned and promulgated as above specified, be of force in supersession of the former one.

and revised and corrected as required.

Certain goods pay duties on each actual invoice, (Appendix A.)

Clause 3*d*.—The articles specified in Appendix A to this Regulation shall continue to be valued, and to pay duties, as heretofore

heretofore, according to the invoice cost of each importation.

Clause 4th.—All articles not specified either in the Tariff list, or in Appendix A to this Regulation, shall continue to be valued, and to pay duties, as heretofore, according to the market rates at the time of entry: a list of the principal articles coming under this clause will be found in Appendix B to this Regulation.

Goods which pay neither by Tariff nor invoice will pay by market prices. (Appendix B.)

Clause 5th.—Advances according to the established rates shall continue to be charged upon the value of all goods, whether determined by Tariff, by invoice cost, or by market rate, to the value of which they have heretofore been added, and the established duties shall be levied on the aggregate.

Advances are added as heretofore.

SECTION III.—*Clause 1st.*—The following enactments, as maintained in force for the Presidency, are hereby declared applicable to Guzerat and the Konkans:

Certain enactments applied to Guzerat and the Konkans.

Section XXIII Regulation I of 1805 prohibiting the export of spirits to Botany-Bay:

Section VII Regulation X of 1813, prohibiting the export of woollens to China.

Clause 2d.—The following enactments, as maintained in force for the Presidency and Guzerat, are hereby declared applicable to the Konkans:

and others to the Konkans.

Regulation X of 1813, relative to the trade of foreign Europeans and Americans with British India:

So much of Regulation VI of 1814 as renders subject to confiscation goods illegally brought from the Bengal or Madras territories:

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Regulation XIII of 1815 relative to the trade between the United Kingdom and India:

Regulation V of 1816 containing prohibitions on the export of Saltpetre:

Regulation II of 1817 relative to the trade between the United Kingdom and India:

Regulations VI of 1818 and II of 1821 relative to the trade of foreign Europeans and Americans with British India.

CHAPTER II.

OF ESTABLISHMENTS FOR COLLECTING SEA CUSTOMS IN THE TERRITORIES SUBORDINATE TO BOMBAY, AND OF THEIR INTERNAL MANAGEMENT.

Appointment of the Collector of Sea Customs and his establishment.

SECTION IV.—*Clause 1st.*—A Collector of Sea Customs shall be appointed by the Governor in Council at such place or places, within the limits of the territories subordinate to Bombay, as may seem to the Governor in Council expedient, together with such establishment as may be deemed efficient and necessary.

The ports in the Konkans will be notified by Government.

Clause 2d.—The ports in the Konkans, at which goods may be imported or exported, shall be announced by an order from the Governor in Council, and notified by a written description being kept constantly affixed at all offices or Kucheries where Custom House business is transacted.

Oath to be taken by the Collector, his Deputy and Assistants, (Appendix C.)

SECTION V.—Each Collector of Customs, and every covenanted servant placed under him, shall, previously to entering on the duties of his office, take and subscribe before the Governor in Council, or any person whom he may commission to administer it, an oath according to the form in Appendix C.

Duties of the Collector.

SECTION VI.—*Clause 1st.*—It shall be the duty of the Collector of Sea Customs to cause to be collected by his establishment,

ment, according to the rules enacted for that purpose, the Customs sanctioned by enactment, and to direct the duties to be performed by the officers of his establishment as authorized by Regulation, and to superintend generally the due performance of such duties, noticing, as the case may require, any dereliction of them, to maintain the requisite correspondence with Government, and to suggest such rules as may appear to him calculated to improve the branch of revenue committed to his charge, or the system of collecting it.

Deputed power of Civil servants on his establishment, and of native superintendents,

Clause 2*d*.—The Collector of Sea Customs may depute any of the officers on his establishment, being covenanted civil servants, to exercise the whole, or any part of the authority vested in himself by Regulation, except corresponding with Government, and he may employ native superintendents, to collect Customs at specified places.

The collector and all persons under him amenable to the local Zilla Court for official acts.

SECTION VII.—The Collector of Customs, his deputies, his covenanted and all other Assistants, and native officers, are amenable for acts done in their official capacity to the Zilla Court, and the rules prescribed in regard to suits against officers in the Land Revenue Department are applicable to suits instituted under this Section.

Goods on which the duties remain unpaid, without any clandestine attempt to evade payment, how to be disposed of.

SECTION VIII.—*Clause* 1*st*.—Should any person dispute, or refuse or omit payment of the established duties, without any clandestine attempt to evade them, the goods shall be seized and deposited in some place of safe custody, and, if the duties be not paid at the expiration of three (3) months, the said goods shall be publicly sold, and, after deducting all charges due, the balance shall be paid to the owners on application: the owners, if they consider themselves aggrieved, may seek redress by suit in the Court having jurisdiction at the place where the transaction may have occurred.

Clause

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The Collector vested with a discretionary power to pass certain articles free of duty.

Clause 2d.—The Collector of Customs is however authorized to pass at his discretion, free of duty, presents sent by Native Princes to their vakeels, or others, as also the private baggage and property of individuals, or parcels or necessaries for their personal use, whether on import or re-import, or export or re-export, provided he shall be satisfied that no articles contained therein are intended for sale, but that the whole are *bonâ fide* for the private use of the parties; but no other exemptions not specified in this Regulation are allowed, except by special order of Government.

Military stores on board or landed to be reported to Government.

SECTION IX.—The Collector of Sea Customs shall report to the Governor in Council whenever any arms, ammunition and Military Stores (with the exception of fowling pieces, pistols or other arms, in the possession of individuals, for private use) are on board, or have been landed from any vessel; the report shall specify the nature and quantity of the same, with the names of the vessel, and commander, and consigner and consignee.

Hours during which the custom offices are to be open, (Appendix D)

SECTION X.—*Clause 1st.*—The offices for the collection of Customs shall be open from half past nine o'clock in the morning till five o'clock in the evening, on all days except those specified in Appendix D; and goods passed without the special leave of the person in charge of the collection of Sea Customs through any Sea Custom House at any other time than that above specified shall be liable to confiscation.

No favour to be shewn in the despatch of business.

Clause 2d.—It will be the duty of the Collector of Customs to see that favour is not shewn to any person in the despatch of business, and that the preference is invariably given to the prior application.

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CHAPTER III.

RULES REGARDING CORRUPT BREACH OF DUTY BY NATIVE OFFICERS IN THE DEPARTMENT OF SEA CUSTOMS AT SUBORDINATES.

Breach of duty in custom house officers at subordinates punishable criminally as in land revenue officers,

SECTION XI.—Any native officer employed in the collection of Sea Customs in the Zillas subordinate to Bombay, who shall be guilty of a wilful breach of the rules enacted for collection of Sea Customs, of levying duty on articles not chargeable therewith, or of unauthorizedly detaining goods, or exacting a fee or valuable consideration of any sort, or receiving any nuzzer or present, shall, besides dismission from office, be liable to punishment under the rules contained in Sections IX and XI of Regulation XVI, and in Section XVI of Regulation XVII A. D. 1827 relative to the mode of punishing native officers of the Land Revenue: the party aggrieved may also sue the offender in the proper Civil Court for damages.

and a civil suit may also be instituted.

CHAPTER IV.

RULES TO BE OBSERVED ON THE ARRIVAL OF VESSELS, AND FOR LANDING AND TRANSHIPPING GOODS AT THE PORTS OF GUZERAT AND THE KONKANS.

The commander of any vessel arriving must furnish his manifest within 24 hours after arrival unless a longer period is allowed, and if required must swear to the truth of it: (Appendix E.)

SECTION XII.—*Clause 1st.*—The Commander, Nakhoda, Serang, or Tindal, or Supercargo or Kuranee of any vessel arriving at a port subordinate to Bombay, shall, within twenty four (24) hours after arrival, unless a further period be allowed by the officer in charge of the Custom Department at the port on explanation given, furnish his manifest in the form contained in Appendix E, and if required shall attest on oath the truth of it:

the manifest when to be signed by the custom house officer of the port of export, and when by the commander

Clause 2d.—Should the vessel have arrived from a port subordinate to Bombay, the manifest of goods exported from thence shall bear the signature of the officer in charge of the Customs at the port of export, and every officer is hereby enjoined to furnish

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or supercargo of the vessel.

furnish such manifest, of the correctness of which the Commander must before leaving port satisfy himself: the manifest of goods exported from places not subordinate to Bombay shall be signed by the Commander or Supercargo:

Manifest and Bill of lading to be produced by natives in command of ships, and by all coasting vessels:

Clause 3d.—All natives in command of vessels, Nakhodas, or Serangs or Tindals of dows, or dingees, or other craft employed in the coasting trade, shall also produce the bills of lading or Satmees for the examination of the native inspector, who is to countersign their manifest if found to correspond with the said bills of lading: the Collector of Sea Customs is also authorized to require for examination the original invoices, or bills of all goods imported, when he shall think it necessary:

the collector of customs may always require for inspection original invoices &c.

Lascars not required to manifest private property for personal use.

Clause 4th.—Lascars of ships and boats shall not be required to deliver manifests of goods their own private property, *bonâ fide* intended for personal use.

Goods free of duty to be included in the manifest.

SECTION XIII.—Such merchandize or cargo, of whatever sort, as may be free from payment of customs is notwithstanding to be manifested in the way directed in the preceding Section, in order that the extent of the trade may be known.

No goods to be landed or shipped without a permit, and until all established rules have been complied with.

SECTION XIV.—*Clause 1st.*—No goods shall be landed or passed for embarkation or transhipment without a note or permit signed by the officer in charge of the collection of Customs at the place, and which is not to be granted, if any enacted rule, which ought to have been previously observed, has not been complied with, and great care is to be taken, that the goods landed or passed do not differ from those specified, either in quantity or in quality: previously to granting such permit, a deposit, if deemed necessary, is to be made, equal to the amount of the bill for customs on the whole cargo, but the officer in charge of the collections at the place will be held personally responsible that, so soon as the goods are landed or embarked, the bill shall be adjusted and brought to account.

A deposit equal to the amount of customs due may be required before the goods are permitted to be landed or shipped when the bill must be adjusted,

Clause

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Clause 2d.—Any goods attempted to be landed or embarked or transhipped without the aforesaid permit, or attempted to be landed without having been specified in the manifest, shall be liable to confiscation: also, goods exported from a port subordinate to Bombay without having been manifested in the mode prescribed in that case in Section XII Clause 2d.

Confiscation of goods is incurred by attempting to remove them without permit, or to land them without manifest, or by exporting them from a subordinate port without a Custom House manifest.

SECTION XV.—All goods imported by sea shall be landed at the established Custom House offices, unless by express permission of the Collector of Sea Customs; and, if landed or attempted to be landed, either clandestinely or otherwise, at any other place without such permission, they are declared liable to confiscation.

All goods to be landed at the established Custom House: penalty of a breach of this rule.

SECTION XVI.—The Collector of Customs may dispense, at his discretion, with the enforcement of the penalty prescribed in Clause 1st of Section XIV, and in Section XV, when without any fraudulent intent goods may be landed, shipped, or passed not strictly in conformity with the Regulations.

Exceptions to the rule prescribed in Clause 1st Section XIV. and in Section XV.

SECTION XVII.—If more goods are found to have been landed than expressed in the manifest, the excess shall be confiscated: if a less quantity than expressed in the manifest be found to have been landed, and it be not produced on board, the value of the deficiency shall be levied as a penalty, on presumption that means have been found to make away with it; provided however, that in case of either excess or deficiency not amounting to a greater proportion than ten (10) per cent. such deviation from the manifest shall not incur the penalties recited.

Penalty where the goods differ from what is expressed in the manifest,

SECTION XVIII.—The examination of goods shall be conducted according to settled and uniform rules to be established by the Collector of Sea Customs, and sanctioned by Government, and a particular description of these rules, in the English language, and such native languages as may be in general use

The examination of goods to be conducted according to settled rules, in the English and local languages,

at

Such rules to be fixed up in some conspicuous place.

at the respective place, shall be fixed up in some conspicuous place in the Office for the collection of the Customs, and any individual any way opposing their enforcement will be deemed to have himself occasioned the delay which may result, and the consequences arising therefrom.

Registers to be kept of all goods imported, whether liable to or exempt from duty.

SECTION XIX.—A daily Register shall be kept of the quantity and value of all goods imported, paying duty, and a separate Register of all articles imported free of duty.

CHAPTER V.

OF THE REGISTERING AND MARKING OF VESSELS IN GUZERAT AND THE KONKANS; OF PASSES, AND OF THE DEPARTURE OF VESSELS FROM THE PORTS OF THE SAID PROVINCES.

All vessels belonging to subordinates to be registered,

SECTION XX.—*Clause* 1*st*.—All vessels of every description employed as fishing vessels on the coasts of Guzerat and the Konkans, or in the coasting trade between the ports of Guzerat and the Konkans, or between any places subject to the Government of Bombay, and belonging to any place subordinate to Bombay, shall be registered, with the names of their owners and commanders or tindals, in Registers to be kept at such places in Guzerat and the Konkans, and in such forms, as Collectors of Sea Customs in those provinces shall direct:

and when registered to be branded and marked.

Clause 2*d*.—When a vessel is registered, the Collector of Sea Customs, or an Officer in his Department, shall be careful that she is branded with the initial letters of the name of the place, harbour or port to which she may belong, and with a number: the letter and number to be also painted on each quarter and on the stern, one foot in length, black on a white ground, leaving a margin of white three inches in breadth:

Tindals of fishing vessels and other harbour craft must keep

Clause 3*d*.—The tindals of fishing vessels, and other harbour craft shall cause the marks of their respective vessels to be renewed

renewed whenever not sufficiently conspicuous, or shall give information to the officer in charge of the collection of Sea Customs at the place, whose duty it will then be to see that this operation is performed.

the marks of their vessels to be renewed on appearance or when they require to be renewed.

Clause 4th.—Fishing vessels and other harbour craft (for which a pass is not required) found plying in the ports, and on the Coasts of Guzerat and the Konkans without being marked as above directed in a sufficiently conspicuous manner, will be deemed to be illicitly employed, and will be liable on discovery and seizure to confiscation; provided however that this penalty shall not be enforced, if the tindal shall in lieu thereof pay to the Collector of Sea Customs on the first occasion a fine of one (1) Rupee, and on the second a fine of three (3) Rupees; but on the third occasion the vessel shall be confiscated.

Penalty.

SECTION XXI.—*Clause 1st.*—The owner or Commander of each vessel of any description employed and navigated in the coasting trade between the ports in Guzerat and the Konkans, and the ports or coasts adjacent, or between any places within territories subordinate to this Presidency, shall procure, according to the subsequent rules contained in this Chapter, from any Collector of Sea Customs, and have on board a pass, in the form of Appendix F, to be produced whenever demanded by any Officer of the Customs, or of the Hon'ble Company's Marine, and the said pass shall be registered at the Custom House from whence procured, and a copy thereof forwarded to the Superintendent of Marine:

Pass to be procured by coasting vessels

(Appendix F.)

Clause 2d.—Each application for a pass shall, if the vessel belong to any port in Guzerat or the Konkans, set forth that the vessel has been registered in the mode prescribed in Section XX, and shall specify her mark, and certify that it is clear and undefaced.

on application, which, if the vessel belong to a subordinate port, must state that she is registered and specify her mark.

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and must be accompanied by a certificate, if the vessel be above 20 candies' burthen, that the owners are householders of Bombay or a subordinate place.

Clause 3d.—It shall also, if the vessel be above twenty candies' burthen, be accompanied by a certificate from two or more merchants of respectability, stating that the owner or owners of the vessel, is or are a householder, or householders at the Presidency, or some place subordinate to it, and that the owner, or one of the owners, resides there permanently:

Survey of the vessel.

Clause 4th.—The Collector of Sea Customs shall cause the vessel to be surveyed and measured, and the particulars thus ascertained to be inserted in the pass according to the form in *Appendix F*: a fee shall be paid for each pass according to the following rules, viz.

Fees payable on the pass.

For a vessel of not more than 20 candies' burthen.. 1 Rupee.

For a vessel of above 20 and not exceeding 100 candies' burthen..... 5 ditto.

———— 100 ———— 400 10 ditto.

For a vessel of 100 tons' burthen or more..... 50 reas per ton.

Passes for vessels measured by candies to be in force for 8 months and by tons for 12 months.

Clause 5th.—Passes for vessels which are measured, according to the above scale, by candies, are to continue in force during eight (8) months, and for those measured in like manner by tons, during twelve (12) months, at the expiration of which respective periods, a new pass is to be procured, and the old one to be delivered up, and filed on record, at the office from which the new one is issued.

Passes how to be renewed.

Duplicate pass may be granted under certain conditions.

Clause 6th.—If a pass be lost, or mislaid before its period of duration be expired, a duplicate shall be furnished to the owner applying for the same, on his paying again the original fee, and making affidavit of the loss or other accident, and executing a bond according to the form in Appendix G.

(Appendix G.)

Vessels without a pass liable to seizure.

Clause 7th.—Any vessel which shall be found navigating, as specified in Clause 1st of this Section, without producing a pass when demanded by the authority specified in the said Clause,

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Clause, shall be liable to seizure by the said authority, and shall be confiscated with her cargo, on the seizure being prosecuted by information in the Supreme Court of Judicature, if the vessel be carried into Bombay, or by suit in one of the Zilla Courts, if it be carried into any port within its jurisdiction; provided that, if it appear that a pass had really been issued, and been lost, or had expired, and that the seizure took place before it could be renewed, reasonable attention having been given to that object, the said vessel shall be discharged from seizure and detention.

Proviso in cases of accident.

SECTION XXII.—Previously to any exportation of goods, permission must be obtained by application made in the form contained in Appendix H.

Goods must not be shipped without application for permission. (Appendix H.)

SECTION XXIII.—Every vessel of any description leaving a port subordinate to Bombay shall, previously to sailing, deliver at the Custom House an account of her export cargo, according to the form specified in Appendix I: the officer in charge of the Customs at the port shall, as soon afterwards as may be practicable, furnish to the Commander the manifest of the export cargo, according to the form in Appendix E: he shall also deliver the pass, if any be required, specified in Section XXI: but these documents shall be withheld until the account of the export cargo has been delivered, or, if issued previously, and the vessel sail without delivering the said account, shall be deemed of no validity and effect.

All vessels to deliver statement of their export cargo, (Appendix I.)

SECTION XXIV.—The provisions of Section XIX, relative to a register being kept of the quantity and value of all imports paying duty, and a separate register of all articles exempt from duty, are to apply equally to exports.

Articles exported duty free to be registered as well as others.

SECTION XXV.—Goods attempted to be shipped without a regular permit, or goods differing from those specified in the permit, attempted to be carried away, or to be shipped under such

Penalty where goods are attempted to be shipped without per-

mit or differing from those specified in the permit.

such permit, with a view of defrauding the revenue, shall be liable to confiscation.

CHAPTER VI.

OF SEA CUSTOMS ON IMPORTS AND EXPORTS AT THE PORTS OF THE KONKANS.

Import and export duties in the Konkans to be levied as at present.

SECTION XXVI.—The rules under which Sea Customs are at present charged and levied at the ports in the Konkans are hereby maintained in force until modified or rescinded by enactment.

Goods which have paid duty on import, to be entitled to a certificate which shall exempt them from inland duties in the Deckan and Konkans, (Appendix J.)

SECTION XXVII.—*Clause 1st.*—The importers into the Konkans of goods, on which the import duty has been levied, shall be entitled to a certificate in the form specified in Appendix J, which certificate, signed and sealed by the Collector of Customs, shall be received as an acquittance from the payment of inland duties throughout the Konkans and Deckan.

Blank certificates to be furnished to the native officers of the Custom department, returns of which are to be required, (Appendix K.)

Clause 2d.—The Native Officers intrusted with the collection of duties at the several ports in the Konkans shall be furnished with blank certificates under the seal and signature of the Collector of Customs, and a regular return shall be required by the Collector in the form specified in Appendix K from such Native Officers of the certificates delivered to them.

An official seal to be furnished to the said native officers, and an impression from it to be affixed to all certificates issued by them,

SECTION XXVIII.—*Clause 1st.*—Native Officers intrusted with the collection of duties shall be furnished with an official seal one inch in diameter, the name of the port or places being cut thereon in the English and local languages of the district, and shall affix the said seal to all certificates issued by them:

the same being duly numbered and granted.

Clause 2d.—The certificates shall be numbered in English and in the local language of the district, and shall be issued according to their numbers:

Clause

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Clause 3d.—Collectors of Land Revenue in the Konkans and Dekhan shall transmit monthly to the Collector of Sea Customs in the Konkan all certificates or copies of certificates produced, the contents of which shall be compared by the Collector of Sea Customs with the register of certificates granted by the said native officers, and where a difference may be discovered the Governor in Council is to be informed, in order that the cause may, if possible, be ascertained.

Collectors of land revenue to transmit certificates produced to them to the Collector of Customs, and the Governor in Council to be informed of any difference which may be discovered, on comparing them with his register.

CHAPTER VII.

EXEMPTIONS IN FAVOUR OF HIS MAJESTY'S NAVY, AND REGARDING CERTAIN PUBLIC STORES, TO BE OBSERVED IN THE PORTS OF GUZERAT AND THE KONKANS

SECTION XXIX.—*Clause 1st.*—Provisions and stores purchased in India by his Majesty's Naval Commissioner for the use of His Majesty's Navy, and imported or exported at any port in the territories subordinate to Bombay, shall be exempted from duties, but this exemption is not to extend to provisions supplied by contractors:

Naval provisions and stores purchased by his Majesty's Naval Commissioner free of duty on export and import.

Clause 2d.—Military, medical, or other territorial stores belonging to Government, are in like manner to be passed free through the Custom Department:

Military, medical, or other stores belonging to Government to be passed free.

Clause 3d.—And in case of embarking or landing His Majesty's or the Hon'ble Company's Military or Marine Stores, or goods it is hereby enacted that the officer conducting such embarkation or disembarkation shall prepare a regular permit, to be authenticated by the Collector of Customs, or his Assistant, or native officer should they be absent, as directed in Sections XIV and XXII of this Regulation, and this rule is to be applied in all particulars to public stores proceeding to stations in the interior.

Permit for public stores.

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CHAPTER VIII.

OF THE COLLECTION OF INLAND DUTIES.

Inland duties are collected by the land revenue officers.

SECTION XXX.—The collection of inland duties throughout the territories subordinate to Bombay, as at present established, shall be conducted by the Collectors of the Land Revenue and the individuals on their establishments, under the rules and liabilities attaching to them respectively in the discharge of their other official duties.

CHAPTER IX.

RULES FOR THE SEA CUSTOM DEPARTMENT FOR CONDUCTING CONFISCATIONS AND LEVYING PENALTIES INCURRED UNDER THIS REGULATION.

Confirmation by Government on report by the Collector necessary previous to confiscation up to a certain amount.

SECTION XXXI.—*Clause* 1*st*.—Goods or vessels liable to confiscation shall be stopped and taken in charge by any custom house officer, by whom (if of subordinate rank) the circumstance shall be immediately reported, under the penalty of dismission, to the Collector of Sea Customs, who shall report the case (as also any seizure made by himself) to the Governor in Council, without whose confirmation the confiscation shall not take place if the articles exceed fifty (50) rupees in value:

Penalty attached to resistance of seizure or examination of goods, or to rescue after seizure.

Clause 2*d*.—Resistance of seizure, or of examination of goods, or rescue after seizure, shall render them liable to forfeiture, though not otherwise incurred, in case the owner or person in charge be abetting thereto:

All native officers to aid in suppressing illicit traffic.

Clause 3*d*.—All native officers in the employ of Government, though not in the department of customs, are required to aid in suppressing illicit traffic, by giving information to their official superior, who is to forward the same forthwith to the Collector of Customs:

Clause

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Clause 4th.—Any native officer failing to comply with the provisions of the aforesaid rule, and conniving at illicit trade or assisting in any manner to smuggle goods, shall be liable to dismission.

Punishment for connivance at illicit traffic.

SECTION XXXII.—Confiscated property shall be publicly sold, and from the net proceeds shall first be paid the established duties, and the remainder shall be divided as follows; one fifth shall be paid to the Collector of Sea Customs or Deputy in charge of the district where the seizure was made, and the remaining four fifths in equal proportions to the informers and officers employed in making the seizure.

Provision for the sale of confiscated property and distribution of the proceeds.

SECTION XXXIII.—*Clause 1st.*—Confiscations when determined shall be executed by the Collector of Sea Customs, the sale being deferred for thirty (30) days from the seizure, and, if within that period the owner, or any one in his behalf, shall institute a civil action in the Court of the Revenue Judge, or of the Zilla, as the case may require, to prove that the confiscation has not been legally incurred, the sale shall be further deferred, till a decision has been made by the Court:

Confiscation how conducted.

Clause 2d.—Fines or penalties incurred by this Regulation, of a nature different from the confiscation of specific articles, shall, if not paid on demand, be sued for, and enforced at the Presidency in the mode prescribed by Act of Parliament, and elsewhere in the Zilla Court having jurisdiction at the place where they have been incurred:

Fines and penalties how levied.

Clause 3d.—But the cases of vessels seized for navigating without passes are not to come within the rules of this Section, but to be prosecuted as directed in the 7th Clause of Section XXI.

Confiscation of vessels without passes does not come under this Section.

REGULATION XX. A. D. 1827.

APPENDIX A.

(See Section II Clause 3d.)

Alphabetical List of Articles which on import into Bombay are to be valued by the invoice rates.

Numbers.	ARTICLES.
1	ARTICLES OF WEARING APPAREL.
2	Artificial Flowers, Europe.
3	BLACKING AND BRUSHES.
4	Brass Table.
5	Broad Cloth.
6	Bunting.
7	CAMBLETS, EUROPE.
8	Carpets, Europe.
9	Carriages and Conveyances.
10	Cashmire Shawls, (Foreign imitation.)
11	China Artificial Flowers.
12	" Lamps &c.
13	" Ware.
14	Clocks and Watches.
15	Copying Machines.
16	Cotton Yarn and Thread, Europe.
17	Crystal Ware.
18	Cutlery and Hard Ware, Europe.
19	DRUGS, EUROPE.
20	EARTHENWARE, DO.
21	Eatables.
22	FANS, EUROPE.
23	Feathers for Dress.
24	Floor Cloth.
25	Flower Vases.
26	Furniture Household (including Cabinet Ware and Dressing Cases.)
27	GARDEN ENGINES.
28	Glass, Looking.

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Numbers.	ARTICLES,
29	Glass ware.
30	Glass, Window.
31	Gold and Silver Lace, Europe.
32	" Thread ditto.
33	Guns and Pistols.
34	JAPAN WARE.
35	Jewellery English (direct from England duty free.)
36	Jewellery and Jewellery Gilt not direct from England.
37	Images, Europe.
38	Ironmongery.
39	LACQUERED WARE.
40	Leather of different sorts.
41	Lines and Twines, Europe.
42	Loaf Sugar.
43	Long Ells.
44	MARBLE SLABS AND TILES.
45	Masts, Spars, and Oars.
46	Mathematical and other Instruments.
47	Merinos.
48	NEEDLES AND PINS.
49	OILMAN'S STORES of all sorts, including Pickles, Fish Sauces, Mustard &c. &c.
50	PAINTS AND OIL FOR PAINTS.
51	Paint Brushes.
52	Paper, Portuguese.
53	Perfumery.
54	Pewter Ware.
55	Pictures of various Sorts.
56	Piece Goods, Europe, Bengal and Madras.
57	Plated Ware.
58	Printed Cottons, and Calicoes.
59	Printing Presses and Types.
60	SADDLERY.
61	Seeds of various Sorts, Europe and Cape.

Numbers.	ARTICLES.
62	Ship Chandlery.
63	Silk, Manufactured.
64	Snuff Boxes.
65	Stationery and Books.
66	Summerheads, Silk.
67	Syrups of Sorts.
68	TABLE LINEN.
69	Tin Ware.
70	Toys.
71	WINE COOLERS.
72	Wire Covers,
73	Woollens (Foreign.)

APPENDIX B.

(See Section II *Clause 4th.)*

Alphabetical List of the principal Articles which on import into Bombay are to be valued by the Market rates.

Numbers.	ARTICLES.
1	AMBER.
2	Ditto Beads.
3	Ditto Common.
4	Anardana, a sort of Beads.
5	BANGLES, GLASS, HORN AND IVORY.
6	Beads, Country of all kinds.
7	Brass Work and Ware (country).
8	CARPETS, Persian and Cambay.
9	Copper Ware (country).
10	Copper, White.
11	Coral.
12	" False.
13	Cornelians.
14	Cotton Lacings, Rope and Strings.

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Numbers.	ARTICLES.
15	Cotton Yarn and Thread (country.)
16	Cutlery and Hard Ware (country.)
17	DIAMONDS, EMERALDS &c. Duty free.
18	Drugs (country) when not enumerated in the Tariff list.
19	FALSE BEADS, CORALS AND PEARLS, when not enumerated in the Tariff list.
20	Fans, China.
21	GOLD AND SILVER LACE (country.)
22	" " thread do.
23	Grease.
24	HIDES of different sorts.
25	Horn Ware.
26	JEWELS AND PRECIOUS STONES (country) duty free.
27	Images, China.
28	Ivory Work and Ware, China and country.
29	LANTHORNS.
30	Lines and Twines, country.
31	MATS, Bengal and China.
32	OTTAR of Roses.
33	PEARLS, False, Nuthia China.
34	" " Bajiri size, ditto.
35	" " Borio, ditto.
36	" " Loluk, ditto.
37	" " Wutana size, ditto.
38	Piece Goods, country, from the interior.
39	RAFTERS and Bamboos.
40	Rose Water.
41	SHAWLS (Indian.)
42	TARGETS.
43	Timber and Plank.
44	Tints.
45	Tutanag Ware.
46	WOODEN WARE.

REGULATION XX. A. D. 1827.

APPENDIX C.

(See Section V.)

Form of oath to be taken by a Collector, Deputy or Covenanted Assistant Collector of Sea Customs in Guzerat and the Konkans.

I, A. B. appointed Collector of Sea Customs at ————, do solemnly swear, that I will faithfully discharge the duties of the said situation, that I will not, directly or indirectly, by myself or by others, be concerned in, or allow of any collections being made but such as are authorized by and brought to the account of Government, that I will not be concerned, directly or indirectly, in the purchase of any goods or commodities for the purpose of remitting money to Europe or elsewhere, nor in any other commercial transaction, that I will not take, or receive, or knowingly allow any other person to take or receive, any present, gratuity, fee or advantage, whatsoever, on account of any matter relating to the duty of my office, excepting such as now is, or may be hereafter authorized by the Governor in Council. So help me God.

(Signed) A. B.
Collector, Deputy or *Assistant,*
Collector of Sea Customs at ——.

A. D. 1827. REGULATION XX.

APPENDIX D.

(*See Section* X *Clause* 1*st.*)

List of days on which the offices for transacting the business of the Sea Custom Department in Guzerat and the Konkans may be closed.

If the office be at a Suddur Station, or the officer in charge of it be of the Christian persuasion,

Sunday,
Christmas Day,
Good Friday,
New Year's Day.

Otherwise on such days only as the Collector of Sea Customs may direct; which shall also be regulated by the Governor in Council, if sufficient cause appear.

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APPENDIX E.

(See Section XII Clause 1st.)

Form of Manifest.

Manifest of the Cargo of the from the port of ——— Commander.

Colours ———.

To what port belonging	Where built	Number of the crew	Owners' names	How employed	Tonnage	CARGO					To whom consigned
						Packages or Chests.		Goods			
						Marks	Numbers	Quality or Kind	Weight or Quantity		

(Signed) *By the Officer of Sea Customs,* if the port of export be subordinate to Bombay.—Otherwise *by the Commander or Supercargo.*

APPENDIX F.

(See Section XXI *Clause* 1*st.)*

Form of Pass for Coasting Vessels.

To all Commanders of Ships and Vessels, or whomsoever, subjects, friends or allies to His Majesty George the Fourth, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c. &c.

Whereas ——— inhabitant of ——— and owner of the ——— burthen ——— carrying ——— guns, navigating and trading between ——— and ——— and now bound to ——— whereof goes Commander ———, has requested of me, the President and Governor of Bombay, a pass for the better security of the said ———, I do, by virtue of the power derived by me from the Hon'ble the United Company of Merchants of England trading to the East Indies, and confirmed unto them by the authority of our Sovereign Lord the King, give her this my pass, hereby requiring and requesting of all or any subjects, friends or allies as abovementioned, that may happen to meet with the said ——— in her intended voyage, not to give her the least hindrance or molestation; provided that this my pass be of validity during the term of ——— months, and no longer. Sealed with the seal of the aforesaid Hon'ble Company, and given under my hand in Bombay Castle this ——— day of ——— *Anno Domini* One thousand eight hundred and ———.

By Order of the Honorable ———,

President of all affairs of the Honorable United Company of Merchants of England trading to the East Indies, on the Coast of India, Persia and Arabia, Governor and Commander in Chief of His Majesty's Castle and Island of Bombay.

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REGULATION XX. A. D. 1827.

APPENDIX G.

(*See Section* XXI *Clause 6th.*)

Form of Bond to be executed on replacing a pass.

Whereas I, A. B. owner (*or* commander) of the ship (*or* vessel of other denomination) did on the —— day of ——— in the year ——— procure from the officer for the collection of Sea Customs at ——— a pass for the aforesaid ship (*or* vessel of other denomination) according to the provisions of Section XXI Regulation XX A. D. 1827, and whereas the said pass has been (destroyed, *or* lost, *or* otherwise as the case may be), of which fact I have made a separate affidavit, copy of which is affixed to this bond, so that it is out of my power to produce the said pass, and the period for which it was granted is not yet expired; I am therefore desirous of procuring a duplicate of the said pass, and upon obtaining the same, I hereby bind myself to pay to the Collector of Sea Customs at ——— for the time being the sum of Rupess (2,000) two thousand, provided it shall appear, that the original pass hath been, or hereafter shall have been, lent, sold or otherwise disposed of by me, or that the same hath been, or hereafter shall be, illegally used by any person or persons, with or without my knowledge.

A. B.

Owner *or* Commander of the ———.

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APPENDIX H.

(*See Section* XXII.)

Form of application for Exportation of Goods.

OUTWARD.

To

The Collector of Sea Customs at ———.

Sir,

Please to permit to pass on board the ——— the undermentioned articles proceeding to ———.

——— Chests of Sugar.....value Rupees ———.

——— Bales of Cloth.....value Rupees ———.

I have &c.

APPENDIX I.

(*See Section* XXIII.)

Account of Goods to be exported from the Port of ——— *on board the Vessel* ——— *A. B. Owner* (or *Commander.*)

Packages		Goods				
Mark	Number	Quality or Kind	Quantity or Weight	To what Port consigned	To whom consigned	Invoice Cost or Valuation

(Signed) ——— Owner *or* Commander.

APPENDIX

REGULATION XX. A. D. 1827.

APPENDIX J.

(*See Section* XXVII *Clause* 1st.)

Form of certificate that sea import duties have been paid at a port in the Konkans.

REGISTER.

Custom House at ———.

This is to certify that the goods mentioned in the annexed list have been regularly entered and paid the Hon'ble Company's Import duties this ——— day of ———.

Date	By whom entered	Number and nature of packages	Vessel			Goods							Government customs received
			Name	Under what colours	Whither bound	Sort or kind	Place of manufacture or production	Nature of packages	Marks and numbers	Quantity	Rate	Total amount of value	

(Signed) A. B.
Collector of the Customs, or *Deputy,*
or *Assistant Collector.*

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APPENDIX K.

(*See Section* XXVII *Clause 2d.*)

Form of Return to be furnished periodically as required to Collectors of Sea Customs in the Konkans by the Native Officers in their department.

Date of the receipt of certificates from the Collector	Number of certificates received	Certificates issued			Vessel			Goods								Government customs received.
		Date	Number	To whom granted	Name	Under what colours	Whither bound	Sort or kind	From what port shipped	Nature of packages	Marks and numbers	Quantity	Rates, per corge, piece &c.	Value		

(Revenue Branch.)

A. D. 1827. REGULATION XXI.

A REGULATION *for collecting customs on opium and other specified articles, and imposing restrictions on the trade therein, made with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the affairs of India.*—PASSED *by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummadyool Akhir 1242 of the Hijree.*

Consisting of thirteen (13) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Duties to be levied, except under certain circumstances, on opium imported at the Presidency of Bombay or in the territories subordinate thereto*....	I.
II.	*Penalties for smuggling opium, and for abetting and concealing the said smuggling, modes of enforcing those penalties, and rewards to informers*.....	III.
III.	*Of the supply of opium for internal consumption, and of its passage from place to place*....	VIII.
IV.	*Rules for the retail sale of opium, and penalties for breach of the same*.....	X.
V.	*Places at the Presidency of Bombay where tobacco and snuff, not being of British manufacture, and ganza, are allowed to be imported, and prohibition against their being imported elsewhere at the said Presidency, forms to be observed on their importation, and duties to be levied*.....	XVII.
VI.	*Rules under which tobacco, and snuff not being of British manufacture, and ganza, which have been imported into the Island of Bombay, shall be deposited in and delivered out of the Custom House Warehouse, and for sale of the said articles at the Presidency*.....	XX.

Rules

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
VII.	*Rules for the exportation from the Presidency of tobacco, and snuff not being of British manufacture, and ganza, and drawback allowed on the same*	XXXII.
VIII.	*Penalties for smuggling tobacco, or snuff not being of British manufacture, or ganza, at the Presidency of Bombay, and for abetting or concealing the same, and for breach of the rules established for the retail trade in the same, mode of enforcing the said penalties, and rewards to informers*	XXXIV.
IX.	*Restrictive rules for the retail sale of poisonous substances within the Zillas subordinate to the Presidency of Bombay*	XLIV.
X.	*Rules regarding the importation of liquors at Bombay, and duties to be levied thereon*	XLVI.
XI.	*Rules under which spirituous liquors are allowed to be manufactured at stations subordinate to the Presidency of Bombay, and duties to be levied thereon*	LIV.
XII.	*Rules under which spirituous liquors of country manufacture are allowed to be sold at stations subordinate to the Presidency of Bombay, and duty to be levied thereon*	LXI.
XIII.	*Penalties for breach of the rules contained in Chapters* XI *and* XII, *mode of enforcing them, and rewards to informers,*	LXVII.

(Revenue Branch.)

REGULATION XXI. A. D. 1827.

A REGULATION *for collecting customs on opium and other specified articles, and imposing restrictions on the trade therein, made with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the affairs of India, and* PASSED *by the Governor in Council on the 1st January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it has appeared expedient to the Governor in Council of Bombay, with the combined views of checking deleterious and vicious habits in the people, and of securing and improving the public revenue, that the importation and sale at Bombay, or at any port or place within the zillas subordinate thereto, of opium made without the limits of the Presidency of Fort William or territories immediately dependent thereon, should, with certain exceptions, be placed under restrictive provisions; that the importation and sale at Bombay of tobacco and foreign snuff and ganja, and the exportation thereof from the said place, should be so regulated as to admit of efficient superintendence and render difficult evasions of the law; that throughout the zillas subordinate to Bombay the retail sale of certain poisonous substances without a licence

should

should be prohibited; that the rules regarding the importation of spirituous liquors at Bombay and the duties to be levied thereon should be consolidated, and that the manufacture and sale of spirituous liquors in the zillas subordinate to Bombay should be subjected to strict and vigilant control, the following rules have therefore been enacted by the authority of the Governor in Council, with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the affairs of India, and shall have effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER I.

DUTIES TO BE LEVIED, EXCEPT UNDER CERTAIN CIRCUMSTANCES, ON OPIUM IMPORTED AT THE PRESIDENCY OF BOMBAY OR IN THE TERRITORIES SUBORDINATE THERETO.

Opium liable to 12 Rs. per Surat seer import duty, at Bombay and its subordinates:

SECTION I.—*Clause 1st.*—All opium, except as excepted in the succeeding clause, shall be subject to a duty of twelve (12) rupees of local currency per Surat seer on being imported or brought into any harbour or roads or port or place, either by land or sea, within the Presidency of Bombay, or territories subordinate thereto, whether such opium be landed or transhipped or retained, or brought for use or to be conveyed to any other place; provided that such small quantities, in no case exceeding one quarter of a Surat seer, as may be found in the possession of individuals under circumstances satisfactorily indicating that they are meant for consumption during the voyage or journey, are not to involve any consequences by virtue of this regulation:

certain importations not subject to the duty:

Clause 2d.—The provisions of the preceding clause shall not apply to opium imported by Government, nor to opium regularly manifested from the United Kingdom, or imported under treaty with His Majesty for consignment to any place

out

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out of the Company's limits, nor to opium made within the limits of the Presidency of Fort William or the territories immediately dependent thereon:

such duty to be in excess of ordinary custom duties leviable by the Regulations.

Clause 3d.—The duty imposed by this regulation shall be collected according to the general rules and provisions for sea and land customs and duties, subject in addition to the specific provisions of this regulation, and shall not be understood to exempt the opium on which it is imposed from any other duty which may be leviable by the Custom House Regulations.

Imported opium may be deposited for 12 months without paying duties at the owner's option.

SECTION II.—*Clause 1st.*—The owners of opium imported under the provisions of Clause 1st Section I, shall be at liberty, instead of paying the duties (either such as established by this or any other regulation) on its importation, to deposit it in any warehouse approved of by the Governor in Council under mutual charge of the owner and the officer whose duty it may be to collect the duties, and there to keep it without paying any duty for a period not exceeding twelve (12) calendar months to be computed from the date of its deposit.

such deposited opium removable at any intermediate time on paying duties:

Clause 2d.—The owners, or their agents, of opium deposited according to the provisions of the preceding clause, shall be at liberty to remove the said opium, on payment of the duties, at any time within the prescribed period of twelve calendar months, after which, if the duties shall not have been paid, it shall be lawful for the Governor in Council to cause the officer in charge of the collection of customs or duties to dispose of the said opium as provided in the succeeding clause:

but after 12 months to be sold by auction and the proceeds in excess of duties to be given to the owners, but if in defici-

Clause 3d.—The said opium shall be offered for sale by public auction, and, if the price offered do not amount to the customs or duties chargeable, the opium shall be effectually destroyed in presence of the officer in charge of the collection of the said customs or duties: but, if the price be equal or

superior

ency the opium to be destroyed.

superior in amount to the said customs or duties, the opium shall be sold, and the customs or duties paid from the proceeds, and, if there be an overplus, it shall be given to the owners of the opium or their agents.

CHAPTER II.

PENALTIES FOR SMUGGLING OPIUM, AND FOR ABETTING AND CONCEALING THE SAID SMUGGLING, MODES OF ENFORCING THOSE PENALTIES, AND REWARDS TO INFORMERS.

Confiscation of smuggled opium, and of the articles accompanying it.

SECTION III.—All opium brought to the Presidency of Bombay, or any place within the zillas subordinate thereto, in a manner different from or without following the provisions enacted for its importation, shall be deemed to be smuggled, and shall be confiscated and disposed of as directed in Section VI Clauses 5th and 6th; and further every vessel, carriage, and animal actually in use in conveying or containing such smuggled opium at the time of the seizure, and the contents of any package in which such opium may be concealed, shall also be confiscated and disposed of in like manner.

Persons keeping smuggled opium to forfeit double the value, and double the amount of duty on it.

SECTION IV.—In case any person or persons shall knowingly harbour or keep or conceal, or shall permit to be harboured or kept or concealed, any smuggled opium, whether or not he or she or they have property or interest therein, such person or persons shall for each such act forfeit double the value of such opium, to be ascertained on its sale by auction as prescribed in Section VI Clause 5th, and double the amount of duty leviable on it, which forfeitures shall be enforced in the mode prescribed in Section VII.

Seizure and deposit of smuggled opium found by collectors or police establishment:

SECTION V.—*Clause 1st.*—If any smuggled opium be found by a Collector of sea customs, or land revenue, or police magistrate, or any person on their respective establishments, it shall be his duty to seize the said opium, with every package

in

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in which it may be contained, and every vessel or carriage or animal in use in conveying or containing it, and to deposit the said seizure in the nearest place of security, and to give immediate information thereof, if it shall not have been already furnished, to the officer in charge of the collection of customs at the spot where the seizure was made.

search warrant for smuggled opium on information on oath:

Clause 2d.—If any credible person shall give information on oath to a collector of land revenue, or sea customs, or to a police magistrate, of any smuggled opium being kept in any vessel or building or place whatsoever, the officer, to whom such information is given, is authorized and required to issue a warrant under his hand and seal to a constable, or any other trustworthy person or persons, commanding them to enter between sunrise and sunset into such vessel or building or place, and if necessary to break open doors or chests or packages, and to seize and deposit in the nearest place of security all such opium, with the vessel and the packages in which it may be contained, and the contents of such packages: when the seizure has been effected, the officer who issued the warrant is to give information thereof, if it has not been already furnished, to the officer whose duty it is to collect the customs on opium at the place where it was seized.

confiscation of such opium and packages if unclaimed for one month:

SECTION VI.—*Clause 1st.*—From the time that information is given to the officer, whose duty it is to collect the customs on opium, that any of that article has been seized and deposited by virtue of the preceding Section, it is to be considered as under his charge, and if no person claim it as owner or agent for the owner within one month from the seizure, such opium, and also the vessel and the packages in which it was contained and the contents of such packages, are to be confiscated and disposed of as directed in Clause 5th:

Clause 2d.—If within the said period of one month the owner

or

the opium to be restored if on suit instituted within 3 months the duties are proved to have been paid.

or any agent on his part should claim the opium so seized, and subsequently prove, by suit instituted within three (3) months from the seizure in the Court having jurisdiction in the case under the provisions of the following clause, that the full amount of customs has been paid, and the opium in every respect legally imported, the articles seized shall be restored, but, if he fail in such proof, the articles seized shall be confiscated as above specified.

Summary decision if the opium seized do not exceed one maund and the articles seized with it do not exceed in value rupees 500:

Clause 3d.—If the quantity of opium seized on any one occasion do not exceed one maund, and the articles seized with it do not exceed in value 500 rupees, any suit respecting it by virtue of the preceding clause is to be instituted and decided summarily, if within the jurisdiction of his Majesty's Supreme Court of Judicature, in the Court of Petty Sessions, and if within the jurisdiction of a Zilla Court, then it is to be instituted and decided summarily before the magistrate: but, if the opium seized be more in quantity, or the value of the articles seized with it greater than above specified, then the suit is to be instituted either in His Majesty's Supreme Court of Judicature, or the Zilla Civil Court, according as the jurisdiction applies.

otherwise, decision by the Supreme or Zilla Court.

Proviso for the recovery of articles accompanying the opium on suit instituted and proof of payment of duties.

Clause 4th.—If neither the owner of seized opium nor any one on his behalf should seek to recover it under the provisions of 2d Clause of this section, it shall nevertheless be competent to the owner (or his agent) of any articles that may have been seized with the opium to institute a suit under the rules and for the purposes described in the said clause, and, if he succeed in proving that the opium has been legally imported and has paid the duties chargeable upon it, he shall then recover such part of the seizure as may be proved to be his own property.

Public sale of confiscations and distribution of the proceeds:

Clause 5th.—All confiscated seizures shall be sold by public auction at a time and place to be notified publicly at least a week previous to the sale: if there be any informer or informers,

one

one third of the proceeds shall be given to him or her or them; the remainder, or, if there be no informer, the whole shall be applied as the Governor in Council may direct.

special case of opium not selling for Rupees 12 per seer.

Clause 6th.—Confiscated opium sold by public auction shall, if the price obtained be not less than the amount of customs or duties chargeable, be on payment of the purchase money delivered to the purchaser, but, if the price obtained be less than the said amount, the opium shall be placed in charge of the officer vested by virtue of Section VIII Clause 1st with the duty of keeping and supplying opium for the retail trade, and shall be by him furnished from time to time to licensed retailers upon application from the owner, and agreeably to the rules contained in Chapters III and IV.

Penalty for abetting smuggling opium:

limitation of imprisonment in commutation of forfeiture:

SECTION VII.—*Clause 1st.*—The penalty for abetting the smuggling of opium as described in Section IV of this Regulation shall be enforced by information before the zilla magistrate or criminal judge according to the general code, if the act were committed within the jurisdiction of any Zilla Court, and the period of imprisonment assignable in commutation of the forfeiture shall not exceed two years:

proviso as to the tribunal in Bombay.

Clause 2d.—But, if the act were committed within the jurisdiction of His Majesty's Supreme Court of Judicature, the case shall, on prosecution by the Collector of the customs on opium be tried, and, if the offence be proved, the forfeiture shall be levied, or a suitable punishment in commutation thereof shall be awarded by the Court of Petty Sessions, unless the amount of the forfeiture should exceed 500 Bombay rupees, when the case will be tried and determined by the said Supreme Court.

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CHAPTER III.

OF THE SUPPLY OF OPIUM FOR INTERNAL CONSUMPTION, AND OF ITS PASSAGE FROM PLACE TO PLACE.

Collector of land revenue to have charge of opium for supply of the retail trade.

SECTION VIII.—*Clause* 1*st*.—The Collector of the land revenue in each zilla, or other officer appointed for the purpose by Government, shall be intrusted with the charge of opium for the supply of the retail trade: he shall with the sanction of Government establish depots of opium, and frame and promulgate rules for its sale in all particulars not specially provided for by regulation.

and furnish licensed dealers with opium from the depots.

Clause 2*d*.—Opium shall be furnished from the depots to licensed dealers in opium, for the purpose of supplying the retail trade within each zilla respectively, under the provisions of the succeeding Chapter.

Pass for opium purchased for retail at another place:

SECTION IX.—*Clause* 1*st*.—When opium is purchased from a depot for the purpose of retail at another place, the Collector shall furnish the purchaser with a pass, specifying his name, the quantity of opium which is permitted to pass, the depot from which it was purchased, the route by which it proceeds, its place of destination, and the probable period of its arrival, and this pass shall be authority to the officers in charge of the collection of customs on the route to allow it to proceed to its place of destination, under the rules contained in the following clauses of this Section:

inspection of packages:

Clause 2*d*.—Such officers shall however ascertain, by examining so many of the packages and in such way as may suffice for the purpose, whether or not the quantity agrees with that specified in the pass:

if excess discovered, the whole liable to confiscation

Clause 3*d*.—If there be any excess which shall not be satisfactorily accounted for, the whole of the opium shall be liable to

be

be seized and confiscated as smuggled opium, and the dealer shall be deemed to have incurred the penalties and forfeitures enacted against retailers of opium convicted of aiding and abetting the smuggling of opium, and if there be any deficiency in like manner unexplained a duty of twelve (12) rupees local currency per each Surat seer shall be levied by the Collector on the quantity deficient.

and if deficiency, 12 Rs. duty per seer to be levied thereon.

CHAPTER IV.

RULES FOR THE RETAIL SALE OF OPIUM AND PENALTIES FOR BREACH OF THE SAME.

SECTION X.—*Clause 1st.*— Any person selling at one distinct sale a smaller quantity of opium than two Surat maunds shall be considered a retailer and liable to the rules enacted for such.

Retailers:

Clause 2d.—No person shall sell or offer to sell opium by retail without previously obtaining a licence from the Collector of land revenue at the place as directed in the following Section.

to obtain licence from the collector.

Clause 3d.—Any person so retailing opium without the said licence shall be liable for each such act to a fine of fifty rupees, to be enforced in the mode described for other penalties in Section VII, besides which the opium so sold or offered for sale shall be confiscated, together with any other opium found in the house or at the place, according to the provisions of Sections V and VI of this Regulation.

Fine of 50 Rs. for retailing opium without licence,

and the opium to be confiscated.

Clause 4th.—If any person have in his possession (without being a licenced retailer) a greater quantity of opium than one quarter of a Surat seer, the same not having been imported according to the provisions of Chapter I of this Regulation, nor procured in any other lawful way, he shall be liable to the

Any person possessing above ¼ Surat seer of opium not shewn to have been legally obtained liable to penalties of abetting smuggling.

penalties

penalties enacted in Section IV, for abetting smuggling, to be enforced in the manner directed in Section VII.

Licenced retailers possessing smuggled opium to forfeit licence &c.

Clause 5th.—If smuggled opium be found in possession of a licenced retailer, such retailer, in addition to the confiscation of the smuggled opium, shall forfeit his licence, and all other opium found in his possession shall also be confiscated, and, if he be convicted in the mode described in Section VII, of having knowingly had smuggled opium in his possession during the term of his licence, he shall, in addition to the penalties enacted in Section IV for abetting the smuggling of opium, to be enforced as described in Section VII, be liable to the further forfeiture and confiscation above specified in the present Section.

Licences. Appendix A.

SECTION XI.—*Clause 1st.*—Collectors of land revenue shall grant such number of licences for the retail of opium as may be sufficient to supply the demand in their respective Collectorates, and they shall be made in the form in Appendix A.

Limitation of time and place of sale.

Clause 2d.—Each licence shall authorize the keeping and selling opium only at one specific place, and for a specific period not exceeding one year, which period however must always reach to the Dewalee; and it is not intended to prohibit an individual taking out at the same time different licences for different places.

SECTION XII.—The Collector shall on application from retail dealers furnish them with opium from the several depots under his superintendence, but no retailer having opium already in possession shall be furnished with a further supply, unless his stock in hand be shewn by the books specified in Section XVI to be reduced to five Surat Seers, and no larger quantity than two Surat maunds shall be delivered out at one time on the same licence.

Limitation of quantity to be furnished to the retailers.

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Penalty for selling above ½ seer to one person in three days without authority.

SECTION XIII.—Any retailer convicted before the authority mentioned in Section VII of selling more than a quarter of a Surat seer of opium to the same person within three successive days, unless with the permission of the officer charged with the duty of keeping and furnishing opium for the retail trade, or of some officer duly authorized by him to grant it, shall be fined at the rate of twenty (20) rupees per Surat seer for the quantity so sold in excess.

Board to affixed and

SECTION XIV.—Every retailer shall keep affixed to a conspicuous part of the outside of his shop a board, with an inscription specifying that opium is retailed there, and if convicted before the authority specified in Section VII, of omitting to do so, his licence shall be forfeited.

returns to be furnished.

SECTION XV.—*Clause* 1*st.*—Each retailer shall make a return to the collector on the 1st of each month of the quantity of opium he had on hand at the commencement of the preceding month, and of the quantities he received and sold during that month, and of the balance remaining at the date of the return; and if he have taken out more than one licence, there shall be a separate return for each.

Penalties.

Clause 2*d.*—If a retailer neglect to make the return specified in the preceding clause, or if he make a false return, he shall on conviction before the authority mentioned in Section VII forfeit his licence, and all the opium found in his shop shall be confiscated and disposed of according to the rules in Clauses 5th and 6th of Section VI.

Book of sales:

SECTION XVI.—*Clause* 1*st.*—A book shall be kept by the retailer containing a detailed account of the sales of opium; on each licence a separate book shall be kept.

Clause 2*d.*—The collector of land revenue or any person furnished

nished with a specific order from him shall be at liberty at all times to inspect the said book at the place of sale, or if requisite, elsewhere, and also at any time between sunrise and sunset to enter any such place of sale and to take an account of any opium that may be there.

Liberty of examination to the collector &c.

Penalties.

Clause 3d.—Any retailer failing to produce the said book within an hour after its being demanded, or making a false entry in it, or obstructing the search mentioned in the preceding Clause, shall on conviction before the authority mentioned in Section VII forfeit his licence, and all the opium found in his shop shall also be confiscated and disposed of according to the rules in Clauses 5th and 6th of Section VI.

CHAPTER V.

PLACES AT THE PRESIDENCY OF BOMBAY WHERE TOBACCO AND SNUFF, NOT BEING OF BRITISH MANUFACTURE, AND GANZA, ARE ALLOWED TO BE IMPORTED, AND PROHIBITION AGAINST THEIR BEING IMPORTED ELSEWHERE AT THE SAID PRESIDENCY, FORMS TO BE OBSERVED ON THEIR IMPORTATION AND DUTIES TO BE LEVIED.

Places at which alone tobacco snuff and ganza are allowed to be imported.

SECTION XVII.—*Clause 1st.*—Tobacco and foreign snuff and ganza shall be allowed to be imported into the Island of Bombay by landing directly at the Custom House within the Fort and at Musjed Bunder, or at the Custom House at Mahim, and at no other place on the Island, under the penalties specified in Section XXXIV Clause 1st.

Explanation regarding Old Woman's Island Colaba.

Clause 2d.—Tobacco and foreign snuff and ganza shall not be imported under the penalties cited in the preceding clause at any place in Old Woman's Island or Colaba, except such as may be conveyed there by the ferry from Bombay in conformity to the rules for issuing permits subsequently stated in Section XXII.

Clause

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Snuff and ganza when imported to be warehoused.

Clause 3d.—Foreign snuff or ganza imported into the Island of Bombay as above permitted shall immediately be warehoused in conformity to the provisions of Chapter VI of this Regulation: when tobacco is imported, it shall be optional with the importer, either to warehouse it in like manner, or to pay the duties leviable under Section XIX, in which latter case he shall receive a permit and be allowed to pass the article to its place of deposit: tobacco so passed will, whenever subsequently removed, require a permit as prescribed in Section XXII, and shall be exportable, but without drawback, under the rules enacted in Section XXXII Clause 1st for tobacco which has passed the Custom House for internal consumption.

Conditions on which tobacco may pay duty and pass.

Vessels under 500 candies' burthen laden with tobacco &c. to be reported to the Custom Officers.

SECTION XVIII.—*Clause 1st.*—When any vessel, not exceeding 500 candies' burthen, having tobacco or foreign snuff or ganza on board, shall arrive or anchor within any of the waters or ports of the Island of Bombay or Old Woman's Island or Colaba, the owner or person in charge of the said vessel shall within twenty four hours, under the penalties in case of failure specified in Section XXXIV Clause 2d, report the same to the officer in charge of the Customs at the place, and deliver to him a written account of the quantity of the said articles on board:

Packages to be marked and numbered:

Clause 2d.—The said officer shall then cause a trustworthy person or persons belonging to the Custom House establishment to proceed on board and mark every box or case or other package, in which tobacco or foreign snuff or ganza may be contained, with such mark as the said officer may direct, and also with progressive numbers, and none of the said articles shall be removed from on board such vessel without having been thus marked;

provisions as to the landing and deposit of such tobacco &c.

Clause 3d.—When the packages have been marked as directed in the preceding section, the proprietors or their agents shall

shall forthwith, in the presence of him or those who were sent to make the marks, land the said packages, under the penalties in case of failure specified in Section XXXIV Clause 3d, and convey them to the Custom House warehouse, where they shall be deposited under the provisions of Chapter VI of this Regulation.

Duty on tobacco rupees 3 per maund, on snuff 1 rupee per 3 pounds.on ganza rupees 87 per maund,

SECTION XIX.—*Clause 1st.*—On tobacco imported into the Island of Bombay shall be levied a duty of three (3) Bombay rupees per Bombay maund, on foreign snuff so imported a duty of one (1) Bombay rupee per three (3) pounds, and on ganza so imported a duty of eighty seven (87) Bombay rupees per Bombay maund.

exclusive of 3½ per cent, on the value.

Clause 2d.—Beside the duties specified in the preceding clause the general custom duty of three and a half (3½) per cent. on the value shall also be levied on the articles therein mentioned, according to the ordinary rules with reference to that duty.

CHAPTER VI.

RULES UNDER WHICH TOBACCO, AND SNUFF NOT BEING OF BRITISH MANUFACTURE, AND GANZA, WHICH HAVE BEEN IMPORTED INTO THE ISLAND OF BOMBAY, SHALL BE DEPOSITED IN AND DELIVERED OUT OF THE CUSTOM HOUSE WAREHOUSE, AND FOR SALE OF THE SAID ARTICLES AT THE PRESIDENCY.

Account to be taken of tobacco, snuff and ganza in deposit:

SECTION XX.—*Clause 1st.*—When any tobacco, or foreign snuff, or ganza is brought to be deposited in the Custom House warehouse according to the preceding provisions, it shall be weighed by the Custom House officers, and an account shall be entered on the records of the quantity and the date of importation, and the name of the importer, and also of the customs due on it.

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not to be delivered out of the warehouse, except for consumption or exportation:

Clause 2d.—The articles thus warehoused shall not be delivered out of the warehouse for any purposes, except home consumption according to the provisions of Section XXII, or exportation according to the provisions of Chapter VII, and previous to such delivery the duties shall be paid.

on nonpayment of the duties to be sold by auction.

Clause 3d.—But if the duties shall not have been paid within six months after the articles have been warehoused, the Custom Master shall sell by public auction (to be held during office hours for business, and the time and place to be advertised in the newspaper commonly used for official notifications a week previous thereto) so much of them as may produce the amount of the said duties.

Inspection.

SECTION XXI.—The articles warehoused according to the provisions of the preceding Section shall be always open to the inspection of the owners at office hours, provided such inspection be not desired oftener than once a day.

Tobacco &c. how to be delivered for home consumption to a dealer.

SECTION XXII.—*Clause 1st.*—Foreign snuff or ganza required for purposes of home consumption by retail shall be delivered only to licensed retailers of the respective articles; tobacco required for the said purposes may be delivered either to licensed retailers or wholesale dealers, who may receive it for the supply of retailers: in all cases a permit must be produced according to the provisions of the succeeding clause from the Collector of land revenue at Bombay; and further, a similar permit must also be obtained from the Collector whenever tobacco is transferred by a wholesale dealer to a retailer.

on his producing a permit from the collector of land revenue at Bombay.

Clause 2d.—The said permit shall specify the name of the owner, and the quantity to be delivered, and the name of the retailer or wholesale dealer to whom it is to be delivered: the quantity of tobacco to be passed on permit to a wholesale dealer is unlimited, but to a retailer the quantity to be passed on

each

each permit shall not exceed ten (10) maunds of tobacco, ten (10) pounds of snuff, or one (1) maund of ganza, and the permit shall be in force only during office hours on the day of its date

Licence from the Petty Sessions for sale of tobacco &c. in Bombay:

SECTION XXIII.—No one under the penalties specified in Section XXXVI shall sell tobacco or foreign snuff or ganza in the Island of Bombay or Old Woman's Island or Colaba without a licence from the Court of Petty Sessions according to the form in Appendix B, except in the case of tobacco the sale be made by a wholesale dealer to a retailer.

renewal of licence.

SECTION XXIV.—Every retailer who shall take out such licence as aforesaid is hereby required to take out a fresh licence ten days at least before the expiration of the first, and in the same manner such licence shall be renewed from year to year under the penalties in case of failure specified in Section XXXVII.

board to be affixed &c.

SECTION XXV.—Every retailer of tobacco, foreign snuff, or ganza, shall, under the penalties in case of failure specified in Section XXXVIII, fix on some conspicuous part of the front of each warehouse, storehouse, shop, godown or other place in which he, she or they shall retail such tobacco, foreign snuff, or ganza, a board, on which shall be painted at full length such retailer's name, and immediately after or below such name the words "*licensed retailer of tobacco, snuff,* or *ganza.*"

return of warehouses where tobacco &c. are deposited to the collector of Bombay:

SECTION XXVI.—Every retailer of tobacco, foreign snuff, or ganza, before taking out or renewing such licence as aforesaid, shall, under the penalties in case of failure specified in Section XXXIX, make a true and particular return or entry in writing of all warehouses, storehouses, shops, godowns or other places whatsoever by him, her or them respectively used or intended to be used for the laying, keeping or retailing any of the said tobacco, foreign snuff, or ganza, to the Collector of Bombay,

Bombay, and also of all tobacco, foreign snuff, or ganza, by whatever name or names they are or may be called, which at the time of making such respective entries shall or may be in such warehouses, shops, storehouses, godowns and other places, and every of them respectively.

Certificate.

SECTION XXVII.—The Collector shall grant a certificate to all persons who shall make the entry above required, specifying the number of warehouses, storehouses, shops or godowns that have been so entered, without which certificate no licence shall be granted or renewed by the Court of Petty Sessions, and every licence shall specify the number of warehouses, storehouses, shops, godowns or other places contained in the aforesaid entry and certificate.

Licence grantable on production of certificate.

SECTION XXVIII.—The Court of Petty Sessions is hereby authorized and required to grant and renew such licence to all persons applying for the same on their producing the certificate above required, provided always that the persons so applying have not been convicted of any breach of this regulation, and thereby incurred the forfeiture of such licence.

Monthly returns to the collector.

SECTION XXIX.—Every licensed retailer of tobacco, foreign snuff and ganza shall, under corresponding penalties in case of failure, make in respect to the article which he is licensed to retail a monthly return to the collector on the 1st of each month, corresponding with that prescribed by Section XV to be furnished by licensed dealers in opium.

Limitation to the issue of permits.

SECTION XXX.—When the stock of any retailer shall at any time appear by his monthly return or otherwise to exceed three times the amount of the greatest quantity of tobacco, snuff or ganza, for which a permit can be granted under the provisions of Section XXII Clause 2d, no permit for any further issue is to be made by the Collector to such retailer, till his stock shall have been

been reduced, so as not to exceed double the limit of the permit.

Liberty to enter and examine.

SECTION XXXI.—It shall be lawful for the Collector and his officers to enter all places where tobacco, foreign snuff or ganza is retailed, and to examine and take an account of the article in question found there in the same manner as is enacted in Section XVI Clause 2d, in respect to opium, and the same forfeiture of his licence and confiscation of all the articles licensed to be sold by him, which is found at the place of sale, shall be the penalties attached to any opposition or hindrance on the part of any retailer to the exercise of such lawful authority.

CHAPTER VII.

RULES FOR THE EXPORTATION FROM THE PRESIDENCY OF TOBACCO, AND SNUFF NOT BEING OF BRITISH MANUFACTURE, AND GANZA, AND DRAWBACK ALLOWED ON THE SAME.

Tobacco &c. exportable from the public warehouses on drawback:

SECTION XXXII.—*Clause* 1*st*.—Tobacco or foreign snuff or ganza which has been warehoused according to the provisions of Chapter VI may be delivered from the Custom House warehouse for exportation under the rules contained in the succeeding provisions of the present Chapter, and it is hereby explained, that tobacco, which has passed the Custom House for internal consumption and paid duties accordingly, may be exported,

tobacco exportable from private warehouses without drawback:

provided that a permit be obtained similar to that prescribed in Section XXII Clause 1st, and provided also that the rules contained in Section XXXIII for the notification and superintendence of exportations be followed, but such tobacco shall not be entitled to drawback.

drawback on exportations from the public warehouses at the distance of twenty leagues

Clause 2*d*.—Tobacco, foreign snuff and ganza, delivered for export from the Custom House warehouse and exported to a place at least (20) twenty leagues distant from any part of the Island of Bombay, shall be allowed a drawback equal to the amount

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amount of the duty levied on the respective article by virtue of Section XIX Clause 1st, but such drawback shall not be paid, until the export certificate is re-delivered to the Collector of Customs of Bombay, bearing an endorsement, which shall set forth the actual landing of the article at the place to which it was to be exported, and further, the drawback shall be granted only on the quantity of the article certified in the said endorsement to have been so landed, and all claim to drawback shall be forfeited, if the export certificate endorsed as above prescribed be not re-delivered within the periods hereinafter respectively specified, reckoning from the date of export; viz.

on certificate of the same

within the prescribed period:

In exportations to	Bengal, a hundred and twenty		(120) days.
	Madras, ninety		(90) days.
	Malabar and Canara, Katywar, Kutch and Sind	Sixty	(60) days.
	Surat and Guzerat, Forty two		(42) days.

Clause 3d.—Tobacco delivered for export from the Custom House warehouse and exported by sea or land to any part of the British territories distant not more than twenty (20) leagues from the Island of Bombay, shall be allowed a drawback equal to the sum in which the duty specified in Section XIX Clause 1st exceeds the duty leviable at the respective place, but such drawback shall be demandable only on re-delivery to the Collector of Sea or Land Customs, as the case may be, within twenty (20) days after the exportation was made, of the export certificate or permit bearing an endorsement as prescribed in the preceding Clause, by the proper officer in the department of sea or land customs at the place to which the article was to be conveyed, and shall then be granted only on the quantity certified to have arrived at the said place, where such permit or export certificate shall operate as an exemption from the payment of duty in favour of the tobacco imported under it.

drawback on exportations of tobacco from the public warehouse to the British territories within 20 leagues' distance under similar rules.

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Notice of exportations by sea to be given to the collector of sea customs,

SECTION XXXIII.—*Clause* 1*st.*—When an exportation by sea is intended to be made, the proprietor shall give notice thereof in writing to the Collector of Sea Customs specifying the quantity and the person to whom the article is to be delivered, and the place to which it is to be conveyed; whereupon the said officer shall weigh and deliver accordingly the article required, and furnish the person to whom delivered with a certificate of permission specifying the above recited particulars.

and shipment to be superintended:

Clause 2*d.*—Immediately on delivery the article shall, under the penalties specified in Section XXXIV Clause 4th, be conveyed on board the vessel in which it is to be exported in presence of a Custom House officer.

exportations of tobacco by land to be similarly notified and superintended.

Clause 3*d.*—When it is intended to export tobacco by land, the written notice shall be made by the applicant to the Collector of Land Customs, who will countersign it and despatch it by an officer of his department together with the applicant to the Collector of Sea Customs, whereupon the Collector of Sea Customs shall deliver the article to the owner taking his receipt; the notice of export shall be returned to the Collector of land Customs, who will then issue the requisite permit, and will place an officer of his department in the superintendence of the article, which shall forthwith, under the penalties specified in Section XXXIV Clause 4th, be conveyed to the Salsette end of the Sion Causeway, from whence the officer shall return.

CHAPTER VIII.

PENALTIES FOR SMUGGLING TOBACCO, OR SNUFF NOT BEING OF BRITISH MANUFACTURE, OR GANZA, AT THE PRESIDENCY OF BOMBAY, AND FOR ABETTING OR CONCEALING THE SAME, AND FOR BREACH OF THE RULES ESTABLISHED FOR THE RETAIL TRADE IN THE SAME, MODE OF ENFORCING THE SAID PENALTIES AND REWARDS TO INFORMERS.

Confiscation of tobacco &c.

SECTION XXXIV.—*Clause* 1*st.*—Tobacco or foreign snuff

or

or ganza brought into the island of Bombay or Old Woman's Island or Colaba, at any port except such as is permitted by Section XVII of this Regulation, shall be confiscated and disposed of as directed in Sections XLI and XLIII of this Regulation, together with any sort of package in which it may be contained.

illicitly imported:

Clause 2d.—If any of the said articles shall be found on board a vessel situated as described in Section XVIII Clause 1st, without having been reported as therein directed, it shall be confiscated and disposed of under the provisions of Sections XLI and XLIII, together with any sort of package in which it may be contained, and also the vessel in which it may be found.

including the vessel if under 500 candies' burthen, having unreported tobacco &c. on board:

Clause 3d.—If any of the said articles shall not be conveyed to the warehouse on landing as directed in Clause 3d of Section XVIII, it also shall be confiscated with its packages as above said.

penalty for not conveying them to the warehouse on landing.

Clause 4th.—If any of the said articles, after being taken from the warehouse for exportation as directed in Section XXXII, shall, if intended for conveyance by sea, not be shipped as therein directed (danger of seas and enemies excepted) or having been shipped shall be re-landed in a manner not conformable to the rules for importation, (except to save the goods from perishing by stress of weather), and if tobacco received from the warehouse for exportation by land shall, without written leave from the collector of land customs, remain on the Island for more than two days after the collector's permit has been issued, the said respective article shall be confiscated as above said, together with its packages and any animals or carriages or vessels in use in conveying or containing it at the time of seizure.

Confiscation of tobacco &c. illicitly shipped or re-landed:

or remaining on the Island.

Clause

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confiscation of tobacco &c. found for sale or in considerable quantities without the requisite authority

Clause 5th.—And further, if any of the said articles be found in the possession of any hawker, itinerant vender, or other unlicensed retailer for the purpose of sale, or in any of the streets, roads, or other places of the Islands of Bombay, Colaba, or Old Woman's Island, without a permit as prescribed in Section XXII Clause 1st (small quantities for personal consumption not being herein contemplated), and not proceeding to be warehoused or shipped in accordance with the provisions of Section XVIII Clause 3d and Section XXXIII respectively, it shall be liable to confiscation, together with its packages and any animals or vessels in use in conveying or containing it at the time of seizure.

Penalty for concealing tobacco &c. liable to confiscation:

SECTION XXXV.—*Clause 1st.*—If any person or persons shall be convicted in the mode described in Section XLII of having knowingly kept or concealed, or of having permitted to be kept or concealed, any tobacco or foreign snuff or ganza liable to confiscation under the rules of the three first clauses of the preceding Section, whether or not he or she or they have any property or interest therein, he or she or they shall forfeit triple the value thereof, to be levied as enacted in the said Section XLII.

penalty for abetting the retaining on shore or relanding of tobacco &c.

Clause 2d.—If any person or persons shall be convicted in the mode prescribed in Section XLII, of having assisted or concealed the retaining on shore or relanding of tobacco, foreign snuff or ganza liable to confiscation under Clause 4th of the preceding section, whether or not he or she or they have any property or interest therein, he or she or they shall forfeit triple the amount of the drawback allowed thereon, to be levied as prescribed in Section XLII.

penalty of selling tobacco &c. without licence:

SECTION XXXVI.—If any person or persons shall sell, or offer for sale any tobacco or foreign snuff or ganza in the island of Bombay or Old Woman's Island or Colaba, without being a licensed

censed retailer under the provisions of Section XXIII of this Regulation, the said article shall be confiscated as above said, and the said person or persons shall each forfeit triple its value on conviction in the mode described in Section XLII.

penalty for not renewing license:

SECTION XXXVII.—Every retailer of tobacco, foreign snuff or ganza failing to renew his licence as prescribed in Section XXIV, shall, if he be found to continue such retail trade, be dealt with as an unlicensed retailer.

penalty for not affixing board &c.

SECTION XXXVIII.—Every retailer of tobacco or foreign snuff or ganza, who shall fail to distinguish his place of sale as prescribed in Section XXV, shall forfeit his licence, and shall be dealt with as an unlicensed retailer.

penalty fo fraudulent return:

SECTION XXXIX.—Every retailer of tobacco, foreign snuff or ganza who shall be convicted of falsehood and fraud in making the return specified in Section XXVI, shall forfeit the sum of 200 rupees for every such warehouse, shop, or other place of sale, as specified in the above cited Section by such retailer used, and double the amount of the duty for such tobacco, foreign snuff or ganza respectively, as may be concealed and not entered as therein directed, together with all such tobacco, foreign snuff and ganza which shall be found therein, and all casks, boxes and packages containing the same.

seizure of tobacco &c. liable to confiscation by custom officers and others:

SECTION XL.—*Clause 1st.*—Any officer (either European or Native) of the Bombay Custom House, or employed in the collection of land revenue at Bombay, or in the Police, shall, on finding any tobacco or foreign snuff or ganza which is liable to confiscation under any of the provisions contained in Sections XXXIV, XXXV and XXXVI, seize the same and convey it to the Custom House warehouse, with any other articles liable to seizure under the above cited provisions, there

to

to remain in charge of the Collector of sea customs, until it be either redeemed or confiscated by the process in the sequel:

search warrant for tobacco &c. on information.

Clause 2d.—If any credible person shall give information on oath to the collector of sea customs, that any tobacco or foreign snuff or ganza liable to confiscation under any of the provisions contained in Sections XXXIV, XXXV and XXXVI, is to be found in any building or place in the Island of Bombay or Old Woman's Island or Colaba, or in any vessel in the harbour or waters thereof, the said Collector of sea customs shall issue a warrant under his hand and seal to a constable or other public officer, commanding him to enter the said building or place or vessel between sun-rise and sun-set, and, if necessary, to break open doors or chests or any sort of fastening or packages, and to seize the said articles, with any other article which may be liable to seizure under any of the provisions contained in Sections XXXIV, XXXV and XXXVI, and convey it to the Custom House warehouse, there to remain as above said, until either redeemed or confiscated by the process in the sequel:

provision for the restoration of articles proved to have been unduly seized,

SECTION XLI.—*Clause 1st.*—If any person shall appear as proprietor or his agent of the tobacco or snuff or ganza seized by virtue of the preceding section within ten (10) days from the seizure, and intimate to the Collector of sea customs an intention to prove that it was imported, and had been kept or removed according to the enactments in force, and that all dues had been paid, the said person shall, if he prove the same by suit in the Court of Petty Sessions, to be instituted within twenty (20) days from the seizure, recover the said article, which shall be restored, and also any articles that may have been seized with it.

and confiscation in default of such proof.

Clause 2d.—But if no such person shall appear within ten (10) days, or having appeared shall not institute the suit within

twenty (20) days from the seizure, the articles seized shall be confiscated and disposed of as directed in Section XLIII Clauses 2d and 3d, unless the owner (or some one on his behalf) of any article which may have been seized with the said tobacco, or ganza or foreign snuff, should appear as described in Clause 1st of this Section, and make the proof therein described, in which case he shall recover any article that may be proved to be his own property, but the remainder shall continue liable to be confiscated and disposed of as above provided, unless recovered under the preceding rules.

The above penalties to be enforced by distress and sale, and if necessary by imprisonment.

SECTION XLII.—The forfeitures specified in Sections XXIX and XXXI for a breach of the rules contained in those Sections respectively, those incurred by abetting the smuggling of tobacco, or foreign snuff or ganza, as described in Section XXXV, or by selling any of those articles without a licence as prescribed in Section XXXVI, or under an expired licence as described in Section XXXVII, or by a violation of the rules for retail dealers contained in Sections XXXVIII and XXXIX shall be adjudged by the Court of Petty Sessions on proof of the offence adduced by the collector, the pecuniary forfeitures, if not otherwise paid, being levied on warrant from the said Court by distress and sale of the offender's property; and in case such distress and sale shall prove ineffectual in producing the realization of the amount of any such pecuniary forfeiture, it shall be lawful for the said Court of Petty Sessions to commit by warrant the offender to the jail of Bombay, there to remain for such period as the said Court in the exercise of its lawful powers may determine: provided however, that such offender shall at any time be set at liberty upon payment of the forfeiture adjudged against him, together with all reasonable charges.

Confiscated articles to be sold by auction

SECTION XLIII.—*Clause 1st.*—Articles confiscated by virtue of any of the rules contained in Sections XXXVII, XXXVIII and XXXIX shall be disposed of for the benefit of Government

by

by public auction, to be conducted at the Custom House during office hours, and a week's previous notice thereof, specifying the articles and the time of sale, shall be given by advertisement in the Newspaper used for Government notifications.

the informer in certain cases receiving a half of the value:

Clause 2d.—Articles confiscated by virtue of any of the rules contained in Sections XXXIV, XXXV and XXXVI, shall also, with the exception specified in the following clause, be disposed of in the mode specified in the preceding Clause, and one half of the price realized shall be paid to the informer, the remainder, or, if there be no informer, the whole being disposed of as the Governor in Council may direct.

special case of smuggled tobacco &c. not selling for the amount of duty.

Clause 3d.—If tobacco, foreign snuff or ganza, offered for sale under Clause 2d of this Section, do not produce a price equal to the customs due, it shall not be sold, but shall be burnt or otherwise effectually destroyed on the spot.

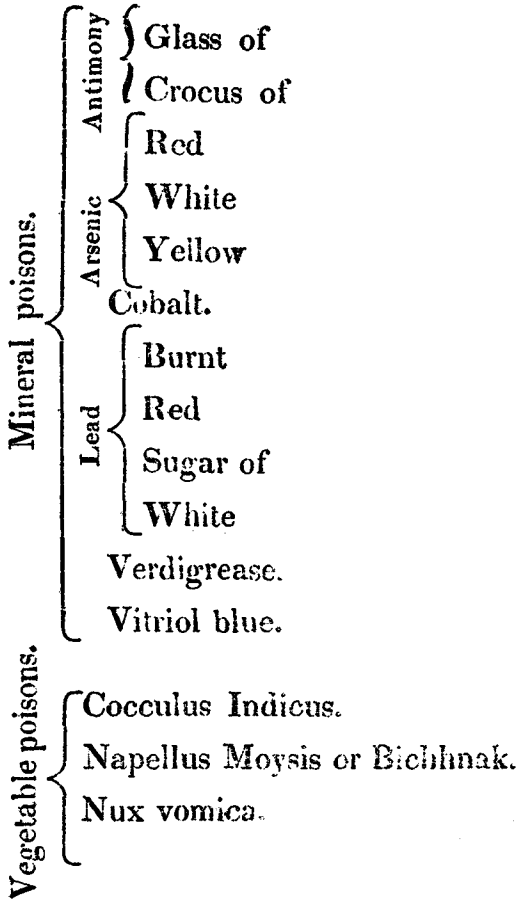
CHAPTER IX.

RESTRICTIVE RULES FOR THE RETAIL SALE OF POISONOUS SUBSTANCES WITHIN THE ZILLAS SUBORDINATE TO THE PRESIDENCY OF BOMBAY.

Prohibition on pain of punishment against the vend of poisonous substances without a licence:

SECTION XLIV.—*Clause 1st.*—All persons not having a licence from the Collector, as hereinafter provided, are prohibited from selling by retail within any of the zillas subordinate to the Presidency of Bombay any of the undermentioned substances on pain of punishment as specified in Regulation XIV A. D. 1827 Section XX Clause 1st.

A. D. 1827. REGULATION XXI.



particulars of the licence:

Clause 2d.—The Collector of each zilla will grant at his discretion licences to be in force for one year for the retail sale of the substances enumerated in the preceding Section: the licence to be granted shall be in the form of Appendix C; previously to its being delivered it shall be registered in the Collector's office, and a fee of three (3) rupees shall be paid for the same.

Appendix C

the duty of licensed venders:

SECTION XLV.—*Clause* 1*st.*—Every licensed retailer of the poisonous substances enumerated in clause 1st shall, with regard to such of them as the Magistrate may specify, be careful on the occasion of each sale to ascertain the purpose for which the articles are required, and shall keep a book which shall contain an entry of each sale specifying the article sold, its price, the date of sale, and the name, caste, and place of abode

abode of the purchaser: the book shall be produced whenever called for by the Magistrate, and shall be open for inspection to any officer duly authorized by him to examine it.

punishment for breach of it.

Clause 2d.—A retailer failing to conform to any of the rules laid down in the preceding clause, will, in addition to the penalties assigned to the offence in Regulation XIV A. D. 1827, Section XX, Clause 2d, be liable to the forfeiture of his licence on intimation to that effect by the Collector.

CHAPTER X.

RULES REGARDING THE IMPORTATION OF LIQUORS AT BOMBAY AND DUTIES TO BE LEVIED THEREON.

Spirituous liquors to be warehoused when landed.

SECTION XLVI.—*Clause 1st.*—All spirituous liquors landed at Bombay shall be placed in the Custom-house warehouses, or in warehouses under charge of the Custom-master and the importers.

Spirits illicitly imported to be confiscated and sold. How the proceeds to be disposed of.

Clause 2d.—All spirits attempted to be illicitly imported will be seized, confiscated, and sold for the benefit of the Company. One moiety of the amount of the sales will be paid to all informers, and the parties offending be sent to the Senior Magistrate of Police, to be punished as the law directs.

Rates of duty on spirituous liquors, and the principles on which they are levied.

SECTION XLVII.—On all brandies, rum, gin, arrack, and all other descriptions of spirituous liquors imported for consumption into the island of Bombay, the established three and half ($3\frac{1}{2}$) per cent. customs shall be levied, on the following principles; viz.

From the United Kingdom on the invoice cost attested upon oath.

From Madeira the same.

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From Cape of Good Hope on	30	per cent. advance on the invoice cost so attested.
—— Isle of France	15	
—— China	20	
—— Batavia	25	
—— Manilla	20	
—— Penang and Eastern Isles	15	
—— Bengal	15	
—— Coromandel	15	
—— Ceylon	15	
—— Arabian Gulph	15	
—— Persian Gulph	15	
—— Malabar and Canara	10	
—— Goa and the Concan	10	
—— Bassien to Surat	10	
—— Surat to Sind	10	

The custom on Spirits imported without invoices shall be levied ad valorem.

Town duty on ditto.

SECTION XLVIII.—In addition to the customs as above specified, the town duty is fixed at half a rupee per gallon on the import of spirits of all descriptions and from all places.

Rate of duty on the spirits manufactured on the islands of Salsette, Caranja, and Fort Victoria.

SECTION XLIX.—*Clause 1st.*—A duty of a quarter of a rupee per gallon to be levied on all spirits manufactured from articles *bonâ fide* the produce of the islands of Salsette, Caranja, and Fort Victoria; but all imports of spirits from these territories, manufactured from articles other than the produce thereof, shall be subject to the duty of half a rupee per gallon.

Certificates under which they are to be levied.

Clause 2d.—Certificates must be produced from the Collectors of these places, that the spirit intended to be imported has been manufactured from articles the growth of those territories, to exempt the said spirits from the payment of the higher rate of duty.

SECTION

REGULATION XXI. A. D. 1827.

A moiety of the import duty allowed as a drawback on exportation within a period of two months from the date of exportation.

SECTION L.—A moiety alone of the import duty is to be allowed as a drawback on the export of spirituous liquors; and no drawback is to be allowed under any circumstances if the spirit be not re-exported within a period of two months from the date of its import; nor is any drawback of the three and a half per cent customs allowed on the export of spirituous liquors.

No drawback to be allowed on spirits which shall be below their import strength.

SECTION LI.—No drawback will be allowed on the export of any portion of a consignment, the proof of which shall be below its strength at the time of importation, which is to be ascertained by the Custom-master on the import of the article.

Double duties to be levied on spirits imported from Europe or America on foreign bottoms,

SECTION LII.—Spirituous liquors imported from Europe or America on foreign bottoms shall be subject to the payment of double the duties fixed by section XLVII.

to be collected on the actual quantity imported.

SECTION LIII.—The above levies shall be collected on the actual quantity imported without any deduction on account of leakage.

CHAPTER XI.

RULES UNDER WHICH SPIRITUOUS LIQUORS ARE ALLOWED TO BE MANUFACTURED AT STATIONS SUBORDINATE TO THE PRESIDENCY OF BOMBAY, AND DUTIES TO BE LEVIED THEREON.

Prohibition of the manufacture of spirits except in Suddur Distilleries, by licence, or under a farmer,

SECTION LIV.—*Clause 1st.*—No spirituous liquors shall under the penalties specified in section LXVIII be manufactured in any part of the territories subordinate to the presidency of Bombay except within the Suddur Distilleries specified in section LVI, or by licence as authorized by section LVIII, or under control of a farmer according to the provisions of section LX.

Including fermented toddy.

Clause 2d.—The term "*spirit*" or "*spirituous liquor*" is to be understood to include toddy in a fermented state, and the

the term "*manufacture*" includes the process by which the said fermented toddy is procured, whether the fermentation be produced by natural or artificial means.

Toddy to be manufactured by licence or under farmer.

Clause 3d.—But as there may be practical objections to carrying on the said process within a Suddur Distillery, toddy is exempted from the restrictions in this chapter, and its manufacture in the usual ways is allowed to be carried on by licensed venders of it according to the provisions of section LXVI or by a farmer as prescribed in section LX.

Superintendence of the manufacture of spirits.

SECTION LV.—The superintendence of the manufacture as above stated, as well as the sale and all matters connected with the use of spirituous liquors at subordinates, shall be conducted by the Collector of land revenue in each respective collectorate, unless an officer be specifically appointed for the purpose by the Governor in Council, in which case the functions enacted to be exercised by the said Collector shall devolve on the officer so appointed.

Enclosed Suddur Distilleries:

SECTION LVI.—*Clause 1st.*—One or more spots of ground at such towns in each Collectorate, as the Collector under instructions from Government may choose for the purpose, shall be enclosed by a wall or such other fence as the Governor in Council may direct, and they shall be denominated "*Suddur Distilleries.*"

Native Superintendent:

Clause 2d.—Each Suddur Distillery shall be furnished with a Native superintendent to be denominated "*Darogha,*" who shall keep an account of the quantity and strength of the spirits manufactured therein, and shall be responsible that none is removed therefrom, except in conformity to the rules prescribed.

materials of manufacture.

Clause 3d.—It shall be the duty of the Collectors to issue instructions for the internal management of Suddur Distilleries, particularly

ticularly with a view to prevent the mixture of noxious drugs and encourage the use of the best materials,

Admissibility to manufacture spirits therein:

SECTION LVII.—*Clause* 1*st.*—Any person shall be admitted to manufacture spirits within the Suddur Distilleries, but shall not have any claim to be provided with any sort of materials or machine for that purpose.

raw mowra admissible with the Collector's pass to be warehoused and removable only with a pass:

Clause 2*d.*—Raw mowra is permitted to be brought to any place for the purpose of being manufactured in a Suddur Distillery, provided it be furnished with a pass from the Collector; but it shall be kept in a warehouse, of which the Collector and the owner shall each have a key until required for use, and shall then not be removed without a pass from the Collector.

spirits removable from Suddur Distillery only for private consumption or retail sale: strength to be 25 per cent below London proof:

Clause 3*d.*—No spirituous liquor shall be removed from a Suddur Distillery, except for private consumption or retail sale according to the provisions of Section LXIII, and it shall be reduced to a strength not exceeding 25 per cent below London proof previously to being removed.

duties to be previously paid:

Clause 4*th.*—No spirits shall be removed previously to payment of the prescribed duty.

such duties not to exceed those now levied.

Clause 5*th.*—The rate of duty, per Surat maund weighing fourteen hundred and eighty Surat rupees, to be levied on the spirits manufactured in the Suddur distilleries, shall be annually fixed by the Collector with the approbation of Government, and shall not exceed the rate now levied.

Licences to distil spirits at places above six miles from Suddur Distillery granted at discretion of the Collector.

SECTION LVIII.—*Clause* 1*st.*—At places situated at a greater distance than six miles from a Suddur distillery, the manufacture of spirits may be conducted by licence from the Collector to be granted at the discretion of that officer under the following rules:

Clause

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If for manufacturer's consumption licence to be in form of Appendix D:

Clause 2d.—If the spirits be intended for the consumption of the manufacturer, the licence shall specify, as in the Form of Appendix D, the time of manufacture and the quantity to be manufactured and the duty to be levied, which duty shall be fixed as prescribed in Section LVII Clause 5th, and shall be paid previously to issuing the licence.

duty to be previously paid:

if for retail sale the licence for both purposes will be combined.

Clause 3d.—If the spirits be intended for sale (which is allowed only by retail according to the provisions of the following Chapter) the permission to manufacture will be included in the licence for sale as prescribed in Section LXII.

Office of Abkary Darogha:

SECTION LIX.—*Clause 1st.*—At the places contemplated in the preceding Section a native officer may be appointed under the denomination of Abkary Darogha to superintend the manufacture and sale of spirit under the Collector's control, and the limits of the district in which he is to act shall be fixed by the Collector, subject to the approval of the Governor in Council.

who may hold at the same time any other revenue office.

Clause 2d.—The said office of Abkary Darogha may be united with any other revenue office in the same person, when the quantity of business will admit of the duties being properly performed.

Farming of Abkary duties in remote districts:

SECTION LX.—*Clause 1st.*—In remote purgunnahs or publicly known divisions of a Collectorate, situated beyond reach of a Suddur Distillery, and so circumstanced that the rules for licensing manufacture as well as sale of spirits are difficult to be applied, so as to effect their purposes, Collectors are authorized to let the duties on the said manufacture and sale to farm for a period not exceeding one year.

tenders.

Clause 2d.—In such cases advertisements for tenders shall be published by the Collectors, which shall specify the conditions

tions of taking the farm, and the highest offers accompanied by good security shall be accepted.

Authority to be possessed by the farmer;

Clause 3d.—The farmer shall be competent to make any arrangements for collecting duties on the said manufacture and sale that he may consider most productive, provided personal liberty and property be not interfered with, otherwise than by the penalties enacted in Chapter XIII of this Regulation: the amount of duties is to be wholly at the farmer's discretion, provided that they do not exceed those at present levied, and also the disposal of fines and confiscated articles and rewards to informers, and the choice of individuals who are allowed to manufacture or sell liquor.

but farmers may be constituted under other rules.

Clause 4th.—It is to be distinctly understood, that nothing contained in the preceding Clauses of this Section is meant to prevent a Collector from granting in farm the Abkaree duties in other parts of the Collectorate beside those specified in Clause 1st of this Section, and under the stricter system of control which would in such case be applicable.

CHAPTER XII.

RULES UNDER WHICH SPIRITUOUS LIQUORS OF COUNTRY MANUFACTURE ARE ALLOWED TO BE SOLD AT STATIONS SUBORDINATE TO THE PRESIDENCY OF BOMBAY, AND DUTY TO BE LEVIED THEREON.

Country spirits not to be sold in the zillas,

SECTION LXI.—*Clause 1st.*—No spirituous liquors of any such sort as is manufactured in the territories subordinate to the Presidency of Bombay (in which toddy is included by the 2d Clause of Section LIV) shall, under the penalties specified in Section LXVIII, be sold in the said territories except under the following circumstances:

except they be prepared

First.—Liquors manufactured in the Suddur Distilleries mentioned

mentioned in Section LVI, which may be retailed under the provisions of Section LXIII. at Suddur distilleries,

Second.—Liquor manufactured at a distance from Suddur distilleries by virtue of Section LVIII, which may be retailed under the provisions of Section LXIV. or elsewhere under licence,

Third.—Liquor imported into places at a distance from Suddur distilleries as described in Section LVIII, which may under the provisions of Section LXV be retailed by licensed retail dealers. or imported under licence:

Fourth.—Toddy, which wherever manufactured may be retailed under the provisions of Section LXVI. exception respecting toddy,

Fifth.—Liquor manufactured or imported under control of a farmer by virtue of Section LX, which is free from any restrictions except such as he may impose in conformity to the provisions of the said Section. and liquor prepared and sold under a farm.

Section LXII.—*Clause 1st.*—Licences for retail sale shall be issued by the Collector; each licence shall be for one official year, or, if not taken out at the commencement, for such part of it as may remain unexpired: Licences for retail sale.

Clause 2d.—And the security of two responsible persons shall be furnished for due performance of the conditions of the licence, unless in lieu thereof the vender make a deposit in cash equal to the amount of periodical duty payable for one month. securities or deposit:

Clause 3d.—If a vender fail to pay the periodical duty for fifteen (15) days after it becomes due, the licence shall be cancelled, unless the Collector is satisfied, that the failure did not proceed from design to defraud the public revenue; in which case he is authorized to postpone the annulment of the licence for fifteen (15) days more. period in which a licence may be cancelled for nonpayment of duties:

Clause

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provision for the surrender of licences.

Clause 4th.—And a vender may surrender his licence on paying a sum equal to the duty leviable for one month in advance.

Licences for retail sale at Suddur distilleries:

Appendix E

duty to be paid daily:

SECTION LXIII.—*Clause 1st.*—Licences for the retail sale of spirits manufactured at a Suddur Distillery shall be issued in the Form of Appendix E, and under the conditions therein expressed: the amount of duty shall be determined by the quantity of spirits agreed to be received each day, and shall be paid daily by the venders.

pass for liquor removed and certificate thereon:

Appendix F

Clause 2d.—Liquor shall not be removed from the Suddur Distillery without a pass from the Collector, to be renewed monthly, in the Form of Appendix F, and the Darogha shall certify on the back of the pass, at each delivery of spirits, their quantity and the hour at which delivered, and the liquor shall be carried forthwith to the place of sale.

pass for extra supplies of liquor:

Appendix G

Clause 3d.—Holders of the licences adverted to in this Section may receive from the Suddur Distillery extra supplies of spirits besides the quantity specified in the licences, on being furnished with a pass in the Form of Appendix G, and previously paying the duty thereon.

registers of passes:

Clause 4th.—Collectors shall keep registers of the above said passes, and they shall be returned by the venders when the period for which they were issued has expired.

provisions for the jurisdiction of superintendents of military bazars.

Clause 5th.—In cases where the liquor is intended for sale at a Military Cantonment to which the provisions of Chapter IX Regulation XXII A. D. 1827 are applicable, the licences mentioned in Clause 1st of this Section shall be issued by the Superintendent of bazars, instead of the Collector, and such other deviations from this Regulation, as shall result from a strict attention to those provisions, are hereby sanctioned and prescribed.

SECTION

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Licences for manufacture and sale at other places. Appendix H and I:

SECTION LXIV.—*Clause* 1*st.*—Persons desirous of taking out licences for manufacture and sale of spirits at a distance from Suddur distilleries by virtue of Section LVIII, shall state in their application whether the manufacture and sale are to be conducted at the same place or at different places, and the licences shall be in the Form of Appendix H or I respectively, and under the conditions therein specified.

written agreements:

Clause 2*d.*—Written agreements shall be made by such venders binding themselves in such penalty as may be agreed upon to fulfil the same conditions.

a licence required for each still:

Clause 3*d.*—Each licence shall authorize only one still; but it is not intended to prohibit an individual from using any number of stills on separate licences.

periodical payment of duties.

Clause 4*th.*—The duties shall be fixed in the mode prescribed in Section LVII, Clause 5th, according to the best information obtainable by the Collector of the quantity of spirits which each still probably produces, and shall be paid periodically at the expiration of every ten or fifteen days or month, as the Collector may consider expedient.

Prohibition of importation of spirits within six miles of a Suddur distillery:

SECTION LXV.—*Clause* 1*st.*—The importation of spirits as described in the first Clause of Section LXI, within six (6) miles of a Suddur distillery, or of any town where there is a Suddur distillery, is expressly prohibited, nor shall any one sell such imported spirits at places to which the said prohibition does not extend, unless he be a licensed vender under the provisions of Section LXII.

licence for retailing imported spirits:

Appendix J:

Clause 2*d.*—When such licensed vender is desirous of retailing such imported spirits, he must be furnished by the Collector with a licence according to the Form of Appendix J, which shall continue in force for a period of three months; after which if any of the spirits remain on hand, they shall either be given

up

up to the Collector to be destroyed, or a fresh licence for sale of the remainder shall be taken out.

Duties thereon.

Clause 3d.—Duties as prescribed in Section LVII Clause 5th, shall be paid on the quantity specified in the licence, and, if a fresh licence for sale of any remaining quantity be taken out, the duties on that quantity are to be levied as if it were an original licence.

Toddy to be sold on licence: Appendix K:

SECTION LXVI.—*Clause 1st.*—Toddy may be sold by retail by venders furnished with licences from the Collector in the Form of Appendix K under the conditions therein specified.

duties thereon.

Clause 2d.—Duties shall be paid periodically at such intervals as the Collector may consider expedient, and the amount to be fixed as prescribed in Section LVII Clause 5th shall be regulated by a computation of the quantity made from the best information which the Collector and vender can procure.

CHAPTER XIII.

PENALTIES FOR BREACH OF THE RULES CONTAINED IN CHAPTERS XI AND XII, MODE OF ENFORCING THEM, AND REWARDS TO INFORMERS.

Enforcement of prohibitions by the Collector:

SECTION LXVII.—*Clause 1st*—All investigations, which it may be necessary to institute respecting offences against the prohibitions specified in Chapters XI and XII of this Regulation, shall be conducted by the Collectors of the land revenue, and it shall be competent to any revenue officer to apprehend persons detected in committing the said offences, and to seize unlicensed stills, and smuggled liquor, and materials or machines for making it.

suspected persons may be apprehended,

Clause 2d.—Whenever any charge may be preferred or information lodged against any person for infringement of any of the said prohibitions, or whenever reasonable ground of suspicion shall

shall incidentally appear that the same has been committed, it shall be competent to the Collector to cause the person charged with or suspected of the said offence to be apprehended, in order that a regular inquiry may be made into the merits of the case.

and the investigation shall be conducted without delay:

Clause 3d.—Investigation under this Section shall be commenced immediately on the arrival of the party accused or suspected at the Kuchery of the Collector, and shall be prosecuted with the least possible delay.

issue of search warrants for discovery of smuggling,

Clause 4th.—To aid the detection of illicit manufacture and sale of spirituous liquors, the Collector shall be competent to issue search warrants for the discovery of unlicensed stills or smuggled liquor:

on strong grounds of suspicion:

Clause 5th.—The search warrants mentioned in the last preceding Clause shall be issued, only when the Collector shall have strong grounds to believe, either from charges specially preferred, or from his own personal knowledge, that spirituous liquors are illicitly manufactured, sold or deposited on the premises proposed to be searched:

mode of their execution:

Clause 6th.—Search warrants shall be addressed to some officer on the fixed establishment of the Collector, and shall only be executed in the day time, that is between sunrise and sunset, and, if possible, in the presence of two or more respectable inhabitants of the place, in which the house or place proposed to be searched may be situated:

Clause 7th.—It shall be the duty of the Magistrate, and all other police officers and servants, to support the officers of the Collector in the discharge of the duty which may be delegated to them under this section, provided however that nothing contained in these rules shall be construed to authorize any of the

said

restriction.

said individuals to enter the zenana or apartments of the women, in houses belonging to persons of those classes whose women do not ordinarily appear in public.

Fine not exceeding Rs. 500 commutable to imprisonment not exceeding 6 months in the Civil jail for breaches of regulation.

SECTION LXVIII.—*Clause 1st.*—Any person convicted before the Collector of the offence of manufacturing spirits contrary to the provisions of Section LIV, or importing mowra contrary to the provisions of Section LVII, or removing spirits from a Suddur Distillery contrary to the provisions of the said section, or of selling spirits contrary to the provisions of Section LXI, or of importing or selling spirits in violation of the provisions of Section LXV, shall be adjudged by the Collector to pay such fine as on due consideration of the circumstances of the case may be deemed proper, not exceeding five hundred (500) rupees; to be commuted, in default of payment, to a period of imprisonment not exceeding six months in the civil jail, which shall be enforced by the Judge on application by the Collector, who will also furnish the subsistence money required by the regulations.

Proprietors and managers of land conniving at illicit manufacture and sale of spirits prosecutable before the Criminal Judge by the Collector with sanction of Government;

SECTION LXIX.—There being reason to believe that proprietors, farmers, and managers of land, both paying revenue to Government, and held free of assessment, frequently authorize or connive at the establishment of shops for the illicit manufacture, or vend of spirituous liquors, it is hereby enacted, that, on all occasions of such nature, it shall be the duty of the Collector to prosecute persons so offending before the criminal Court of the zilla, provided the sanction of Government be previously obtained but not otherwise; and if it shall be proved to the satisfaction of the Court, that any proprietor, farmer, tehsildar, gomashta or other manager of land shall have authorized or connived at the illicit establishment of a shop for the manufacture or sale of spirituous liquors or toddy, the said Court shall adjudge the offender to pay such a fine to Government, commutable to such a period of imprisonment, as it may deem proportionable to the offence, due consideration being

punishable by fine or imprisonment.

had

had to the situation in life, and to the pecuniary circumstances of the said offender.

Confiscation of illicit liquor, stills, &c.

SECTION LXX.—If any illicitly manufactured or imported liquor, or materials for making it, or unlicensed still, be seized, they shall be forthwith confiscated and effectually destroyed.

Provision for the release and reimbursement of persons unduly charged.

SECTION LXXI.—*Clause* 1*st.*—Persons proceeded against by virtue of the provisions contained in this chapter, who shall not have been convicted of the offence with which they stood charged or suspected, shall be immediately released, and the expense to which they have been actually subjected by the inquiry shall be paid to them by the Collector on the part of Government: should it further appear on investigation, that the inquiry originated in malice, or in motives clearly vexatious, and unwarranted on the side of the informant, it shall be competent to the Collector, unless such party should prefer seeking redress by action for damages in a Civil Court, to compel such informant to pay to the party aggrieved such moderate fine, not exceeding however in any case twenty (20) rupees, as may appear reasonable, or to cause him to be confined in the Criminal jail for a period not exceeding fifteen (15) days: orders passed under this rule shall be enforced by the Criminal Judge on his receiving the offender with a certificate from the Collector, stating his name, the offence proved, and the sentence passed.

and for fining or imprisoning malicious informants.

Clause 2*d.*—Persons deeming themselves aggrieved by any investigation instituted under this Chapter, or by the judgment passed by the Collector, or in any other respect, shall be at liberty (unless they should in preference institute a suit for damages in the Civil Court) to make their complaint to Government, either through the medium of the Collectors themselves or by means of vakeels; and the Governor in Council, after calling for such information as he may require from the Collector, shall confirm or modify the judgment given, or pass

Persons feeling aggrieved may appeal to Government or institute a civil suit.

such

such other orders on the subject as may appear to him most conformable to the principles of substantial justice.

Distribution of the fines:

SECTION LXXII.—*Clause 1st.*—A moiety of any fines which may be levied under the provisions contained in this chapter shall be paid to the person, or divided at the discretion of the Collector among the persons, through whose means the illicit proceeding may have been detected.

rewards in cases of inability to pay fine.

Clause 2d.—In cases in which an offender may be unable to pay the fine which has been adjudged, a reward of ten (10) rupees shall be paid on the part of Government to the informant or informants in lieu of his or their share of the abovementioned fine: but this donation shall not be made in cases where the information concerns one who is a farmer of the duties by virtue of Section LX.

The above provisions to be executed by the Collector on information by the farmer.

SECTION LXXIII.—When there may be a farmer by virtue of Section LX, the authority conferred by this chapter shall be exercised by the Collector on information being given by the farmer, but not otherwise, such prohibitions as the farmer may institute consistently with the said section being held as substituted for those specifically enacted.

APPENDIX A.

(*See Section* XI *Clause* 1*st.*)

Form of Licence to keep and retail opium.

Whereas by the authority of the Governor in Council I A. B. Collector of —— authorize C. D. —— to keep and retail opium at his shop situated (here describe the situation) in the (village, town or city) of —— in the Pergunnah of —— in this Collectorship from the date hereof to the ensuing Dewallee, being a term of ——; it is required of the said C. D. as a condition

dition of his licence remaining in force that he duly and faithfully perform the following articles:

1st.—That he be in no ways concerned in the smuggling of opium nor in the harbouring or concealing smuggled opium:

2d.—That he keep or sell opium at (here describe the situation of the shop) only under this licence:

3d.—That he keep a board fixed up at his shop with an inscription specifying that opium is sold there:

4th.—That he make every month a return of his sale as prescribed in Section XV Clause 1st Regulation XXI A. D. 1827:

5th.—That he keep the book described in Section XVI Regulation XXI A. D. 1827, and offer no obstruction to the inspection thereof, and to the search of his shop by the Collector or any person furnished with his order for the purpose:

Upon the due performance of the above specified conditions this licence will remain in force during the term above specified, but C. D. is further informed, that he must not without permission duly granted as specified in Section XIII Regulation XXI A. D. 1827, sell more than a quarter of a Surat seer of opium to the same person within three successive days, or he will be liable to a fine of twenty (20) rupees per Surat seer for the quantity so sold in excess, as provided in the said section, and that any violation of this rule or of the orders of the Collector will prevent his obtaining a renewal of his licence.

(Signed) A. B.
Collector.

OFFICE OF THE COLLECTOR OF
day of 18

REGULATION XXI. A. D. 1827.

APPENDIX B.

(*See Section* XXIII.)

Form of Licence to keep and retail tobacco, or snuff, or ganza.

Whereas —— ha applied to us for a licence to sell tobacco, (snuff *or* ganza) and ha produced a certificate from the Collector to the effect stated in Section XXVII of Regulation XXI A. D. 1827, we have accordingly granted —— the same, on condition that —— duly and faithfully perform, and abide by the conditions hereunder written:

1st.—That the place (*or* places) at which —— authorized to keep a shop for the retail of tobacco, (snuff *or* ganza) is (*or* are) the following viz.

2d.—That —— not to open a shop for the retail of tobacco, (snuff *or* ganza) at any other than the place (*or* places) above stated:

3d.—That —— will not open —— shop before sunrise nor keep it open after 9 P. M. and that —— will not harbour any person in it during the night:

4th.—That —— will cause a board to be exposed to public view outside the said —— bearing the following inscription: "*Licensed retailer of tobacco,* (*snuff* or *ganza.*")

Upon any breach of the above conditions, or of any of the enactments of Chapters V, VI, VII and VIII Regulation XXI A. D. 1827, this licence shall be held to be forfeited. Given under our hands and seals this —— day of — 182 This licence will continue in force until —— the —— day of —— next and no longer.

A. D. 1827. REGULATION XXI.

APPENDIX C.

(*See Section* XLIV *Clause 2d.*)

Form of Licence to retail poisonous substances.

I, A. B. Collector of —— hereby licence C. D. by caste —— inhabitant of —— to sell by retail within the village (town *or* district) of ——, for one year from the date hereof, the poisonous substances specified in Chapter IX Regulation XXI A. D. 1827. The said C. D. will strictly conform to the rules contained in Regulation XXI A. D. 1827 Section XLV, on failure whereof, and on intimation to that effect by the Collector, this licence shall be held to be forfeited and annulled.

COLLECTOR'S OFFICE,
—— day of—— 182

(Signed) A. B.
Collector.

APPENDIX D.

(*See Section* LVIII *Clause 2d.*)

Form of Licence for the manufacture of spirits for private consumption beyond the limits of Suddur distilleries.

Whereas by the authority of the Governor in Council I, A. B. Collector of —— hereby authorize C. D. to manufacture on the —— day of —— next and —— ensuing days at (here mention the place) —— gallons of —— for his private consumption, the duty thereon amounting to rupees —— having been paid: the said C. D. is hereby informed, that unless the particulars herein mentioned are adhered to, and such other orders as the Collector of —— or any person duly authorized by him may have communicated, on shall communicate to C. D, previously

viously to the completion of the above specified term, are obeyed, this licence is void and of no effect.

Registered No. —— of ——

OFFICE OF THE COLLECTOR OF ——
—— day of ——

(Signed) A. B.
Collector.

APPENDIX E.

(*See Section* LXIII *Clause* 1*st.*)

Form of Licence for retail sale of spirits manufactured within a Suddur distillery.

I, A. B. Collector of —— do hereby, under the following conditions, authorize C. D. to open a shop for the retail of spirits at ———:

1*st.*—All spirits sold at the said shop shall be manufactured within the Suddur distillery at ———:

2*d.*—The said C. D. shall pay to Government a daily tax of ——— and shall be entitled to pass from the Suddur distillery ——— maunds of spirits per diem during the year A. D. 182

3*d.*—The said C. D. shall be entitled to pass from the Suddur distillery such further quantities of spirits as he may require for consumption in his shop, upon payment of a duty of ——— per maund:

4*th.*—A regular pass shall be granted by the Collector, on the first day of every month, to the said C. D. to enable him to pass the prescribed quantity of spirits from the distillery:

5th.—Extra passes shall be granted to C. D. on application, the duty being previously paid:

6th.—Any attempts to vend spirits manufactured at any other place than the Suddur distillery above described, or to remove spirits from the Suddur distillery without a pass, or without payment of the established duty, will subject the said C. D. to the forfeiture of this licence, and to the penalties prescribed by Regulation XXI A. D. 1827 to be inflicted on unlicensed venders:

7th.—The said C. D. further engages strictly to attend to such directions as the Magistrate may issue to him, as to the time at which his shop is to be shut, the quantity of liquor which he shall furnish to persons, the conduct of those who frequent the shop, and generally on points connected with the discouragement of vice and crime; and failure in this particular will subject him to forfeiture of his licence.

Given under my hand and seal, this — day of — 182

Registered
No. —— of ——

(Signed) A. B.
Collector.

APPENDIX F.

(See Section LXIII *Clause 2d.)*

Form of Pass for removing liquor from a Suddur distillery.

Nahan Poora Shop. Nowrojee Byramjee

Pass —— maunds of spirits per diem from 1st to 31st of —— 18

(Signed) A. B.
Collector.

Shop No. ——

Pass No. ——

To

To be signed by the head officer of the Abkary Mehaul. On the back of this pass the Darogah of the Sudder distillery shall each day attest the issue of the quantity of spirits specified, and the hour at which it is removed.

APPENDIX G.

(See Section LXIII *Clause 3d.)*

Form of Pass for removing extra quantities of liquor from a Suddur distillery.

Extra Pass No. ——

Nahan Poora
Shop

Nowrojee Byramjee
No. ——

Received Rupees ——

Pass ——— maunds of spirits this day the —— of —— 18

(Signed) A. B. *Collector.*

(L. S.)

To be signed or sealed by the head officer of the Abkary department.

APPENDIX H.

(See Section LXIV *Clause* 1*st.*)

Form of Licence for the manufacture and sale of spirits at one and the same place being six miles distant from any Suddur distillery.

Whereas by the authority of the Governor in Council of Bombay, I, A. B. Collector of —— authorize C. D. to work a still and keep a shop for the manufacture and sale of spirituous liquors at —— in the pergunnah —— during the year —— A. D. —— it is required of the said C. D. as a condition of this licence remaining in force, that he duly and faithfully perform and abide by the following articles:

1st.

1st.—That he pay to Government a daily tax of —— Surat rupees:

2d.—That he use only one still, and that such still shall not contain more than one hundred and ninety two (192) seers of water, each seer weighing thirty seven (37) Surat rupees:

3d.—That he confine the vend of the produce of his still to one shop:

4th.—That he do not harbour robbers, thieves, or riotous persons, but, on the contrary, give information to the nearest magistrate or police officer of any suspected persons who may resort to his shop:

5th.—That he do not receive wearing apparel, or any goods or property, in barter for liquor:

6th.—That he do not open his shop before sunrise, nor keep it open after sunset, and that he do not harbour any persons in it during the night:

7th.—That he have constantly fixed up, on the outer door of his shop, a sign or board, bearing an inscription in the current language of the country to the following effect "*Licensed vender of spirits.*"

Upon any breach of the above conditions this licence shall be held to be forfeited.

All officers of Government are hereby prohibited from imposing or exacting any tax or cess, under any pretence whatever, on the said C. D. on account of the said still and shop, during the aforesaid period, beyond the tax required to be levied from him by the regulations; and they are also prohibited from molesting

molesting or interrupting him in the prosecution of his profession, while he conforms to the above special provisions and to all other regulations that relate to him.

Given under my hand and seal this —— day of —— 18

(Signed) A. B.
Collector.

COLLECTOR'S OFFICE,
Registered
No. — of ——

APPENDIX I.

(See Section LXIV *Clause* 1*st.)*

Form of Licence for the manufacture of spirits at one place and their sale at another, both being six miles distant from any Suddur distillery.

Whereas, by the authority of the Governor in Council of Bombay I, A. B. Collector of —— authorize C. D. to work a still for the manufacture of spirituous liquors at —— Pergunnah —— and to establish a shop for retailing the produce thereof at —— for the year —— A. D. —— It is required of the said C. D. as a condition of his licence remaining in force, that he duly and faithfully perform and abide by the following articles:

1*st.*—That he pay to Government a daily tax of —— Surat rupees

2*d.*—That he use only one still, to be worked at ——, and that such still shall not contain more than one hundred and ninety two (192) seers of water, each seer weighing thirty seven (37) Surat rupees:

3d.—That he confine the vend of the produce of his still to one shop in the town (*or* village) of —— the particular situation of which will be prescribed to him; and that he shall not permit any spirits, which may be manufactural by him, to be sold or disposed of at any other place, without an express licence for that purpose:

(*Article 4th &c. to the end, as in Appendix H.*)

APPENDIX J.

(*See Section* LXV *Clause 2d.*)

Form of licence for the retail of imported spirits.

Whereas, by the authority of the Governor in Council I, A. B. Collector of —— authorize C. D. licensed vender of spirits at —— to sell within the period of three months from this date at (here specify the place) —— gallons of —— imported from —— the duties on which being rupees —— have been paid: the said C. D. is hereby informed that he is required at the end of the above specified period of three months to deliver up to the Collector of —— any portion of the abovementioned quantity of —— gallons of —— which may remain unsold, or take out a fresh licence for the sale thereof on pain of confiscation of the abovementioned spirits, and of forfeiture of his licence to vend imported spirituous liquors as described in Clause 1st Section LXI Regulation XXI A. D. 1827.

Given under my hand and seal this —— day —— of 182

(Signed) A. B. *Collector.*

COLLECTOR'S OFFICE.

APPENDIX K.

(*See Section* LXVI *Clause* 1*st.*)

Form of licence for the vend of toddy.

Whereas, by the authority of the Governor in Council of Bombay, I, A. B. Collector of —— authorize C. D. to open a shop for the sale of toddy in the city, (town *or* village) of —— in

—— in —— for the year —— A. D.; it is required of him, as a condition of his licence remaining in force, that he duly and faithfully perform and abide by the following articles:

1*st.*—That he pay to Government a daily tax of —— Surat rupees:

2*d.*—That he confine his sale of toddy to the shop for which his licence is granted, and on no account sell any toddy without the limits of the above city (town *or* village) or establish a second shop within such limits without taking out another licence for the same:

3*d.*—That he prevent gaming and disorder within his shop:

(*Article 4th &c. to the end, the same as in Appendix H, with the substitution of* "toddy" *for* "spirits" *in Article 7th and* "said shop" *for* "said still and shop" *in the concluding paragraph.*)

(Military Branch.)

A. D. 1827. REGULATION XXII.

A REGULATION *to declare and define Military Authority in its relations to the Civil Power and to the Community at large.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4*th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2*d Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of nine (9) Chapters, as below :

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Of the convening and power of Courts-Martial, of military courts having civil and criminal jurisdiction, co-operation of civil and military authorities for purposes of police, and rules under which civil authorities are to aid military tribunals....*	I.
II.	*Of the Military Court of Requests for deciding civil actions for debt, and of the jurisdiction to be exercised by Courts-Martial in criminal offences.....*	VII.
III.	*Of offences and civil actions relating to the Military Department, but cognizable in a civil court.....*	XV.
IV.	*Of marking the limits of cantonments, and of the appointment, functions and authority of the Superintendent of Bazars.*	XXI.
V.	*Process by civil authority how to be conducted within the limits of cantonments....*	XXXIII.
VI.	*Rules for punishment of offences committed by camp followers during a march.*	XXXV.
VII.	*Of the aid which may be furnished by Civil Authorities to expedite the march of Military Forces, and of compensation to individuals for damage caused by the troops on such occasions.....*	XL.
VIII.	*Of requisitions for Military Aid by Civil Authorities.....*	XLIV.
IX.	*Rules relating to the sale of spirituous liquors at Military Stations and during a march.....*	XLVIII.

(Military Branch.)

A. D. 1827. REGULATION XXII.

A REGULATION *to declare and define Military authority in its relations to the Civil Power and to the Community at large.*—PASSED *by the Governor in Council on the 1st January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadjeol Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS the preservation of military discipline requires that special rules for its enforcement should be provided, and whereas it is expedient that in certain cases, when persons belonging to or connected with the army are defendants, both Civil and Criminal jurisdiction should be exercised by Courts of military constitution in lieu of the ordinary tribunals; and further, that certain matters connected with the military department should be cognizable by Civil Courts; and whereas it is also expedient, that camp followers should be subject to a more direct control than can be exercised over them by the Civil power, that the mode of communication between Civil and Military authorities should be prescribed, and their right to call upon each other for aid defined, and that means of suppressing immorality at military stations and in camps should be provided; and whereas the British legislature has in 4th George IV Chap. 81 enacted certain rules for the above purposes with relation to persons of particular descriptions, the same, so far as applicable, are adopted with certain additional rules in relation to such persons of similar descriptions as are subject to the Regulations of the Bombay Government,

REGULATION XXII. A. D. 1827.

Government, and are detailed in this Regulation, which shall have effect within the territories subordinate to the Presidency of Bombay from such date as shall be prescribed in a regulation to be hereafter passed for that purpose.

CHAPTER I.

OF THE CONVENING AND POWER OF COURTS-MARTIAL; OF MILITARY COURTS HAVING CIVIL AND CRIMINAL JURISDICTION; CO-OPERATION OF CIVIL AND MILITARY AUTHORITIES FOR PURPOSES OF POLICE; AND RULES UNDER WHICH CIVIL AUTHORITIES ARE TO AID MILITARY TRIBUNALS.

Courts-martial how convened.

SECTION I.—Native Courts-martial for the trial on account of offences against military discipline of persons, not being British-born subjects, amenable to military law, are convened, constituted and conducted according to and by virtue of the rules in force for the army; and further, the Commander in Chief, or Commanding Officer of the Forces for the time being, shall have authority, when any of the Bombay native troops are on foreign service, or in any part of the British possessions beyond sea, to delegate by warrant to the officer commanding in chief, where such troops are stationed or serving, his power of convening, as occasion may require, Native General Courts-martial, and also to delegate in like manner, either absolutely or under such restrictions as he may think fit, his power of confirming or directing the revision of the sentences of Courts-martial.

General Courts-martial how constituted.

SECTION II.—A Native General Court-martial shall consist of not less than nine Native Commissioned Officers or Jemadars, unless convened where troops are on foreign service or beyond sea as provided in the preceding section, when it may consist of any number of Native Commissioned Officers or Jemadars not less than five, if the number of nine cannot in the convening officer's judgment conveniently be had, but no sentence of death shall be passed by a Native General Court-martial, unless two thirds of the members, or four, when the Court consists of five, shall concur therein.

SECTION

A. D. 1827. REGULATION XXII.

SECTION III.—*Clause* 1*st*.—The military courts hereinafter constituted by Sections VII and IX, for the cognizance of certain civil actions and criminal offences, shall have jurisdiction over all persons of the following descriptions, belonging to the Bombay Native Army, and not being British-born subjects:

Constitution of military courts for cognizance of civil actions and criminal offences, and specification of persons subject to their jurisdiction:

First.—Officers bearing commissions in the military service of the Company:

officers:

Second.—Persons enlisted in the military service of the Company, whether non-commissioned officers or privates:

soldiers:

Third.—Persons serving as military surveyors or draftsmen, or in the medical, commissariat, store, or veterinary departments, and generally, all persons receiving public pay drawn by an officer in charge of a department appertaining to the army:

surveyors, draftsmen, medical attendants, and all public servants appertaining to the army:

Fourth.—Suttlers and camp-followers. including all persons residing or following any occupation at a cantonment or military station:

suttlers and residents in camps:

Fifth.—The officers and soldiers of any description of troops (except European troops) being mustered, and in pay, belonging to the Bombay Establishment.

all but European troops belonging to Bombay:

Clause 2*d*.—The said persons are not thereby rendered free from Civil Jurisdiction, except in cases which may be specifically provided for by Act of Parliament, or Regulation, but it is hereby enacted, that, when a Civil officer shall have occasion to confine an officer or soldier, either commissioned or enlisted, he shall as soon as possible forward to the commanding officer of the station a communication, which shall be in the form of an extract from any periodical return which may be usually

how far such persons are exempted from civil jurisdiction:

made

made by such Civil officer to a superior authority, in order to denote the nature of the charge and its result:

civil and military authorities to give mutual aid.

Clause 3d.—And it is enacted in Sections III and XVII of the 4th Geo. IV Chap. 81 that civil magistrates and military commanding officers shall mutually aid each other in the apprehension of offenders subject to their respective authorities, the former by delivering up such as may have been apprehended by them, and the latter by using their utmost endeavour to assist the magistrate's process against officers or soldiers.

Courts-martial for trying offences against military discipline how to conduct their proceedings.

SECTION IV.—Native Courts-martial assembled for the purpose of trying offences against military discipline will be guided by the rules in the military code, or such articles and orders as may be in force respecting the army; and to aid their proceedings certain rules are enacted in the two following Sections similar to those contained in Act 4th Geo. IV. Chapter 81:

How Courts-martial are to procure the attendance and evidence of witnesses.

SECTION V.—*Clause 1st.*—Courts-martial shall have authority to summon and examine witnesses on oath or solemn declaration, and any person not subject to military law, being duly summoned and failing to attend, shall, on complaint made by the Judge Advocate or other person officiating as such, be apprehended by the magistrate of the jurisdiction in which he resides, and punished as if he had neglected to attend on a summons issued by the magistrate; and further, if the evidence of a person not subject to military law be required at a Court-martial, it shall be optional with the Court, through the medium of the officer whose duty it may be to conduct official communications, to make application to that effect either to the magistrate or to the Civil Court, and the authority applied to shall procure the attendance of the witness before the Court-martial by such means and under such rules as may be in force for procuring the attendance of witnesses before such authority.

Clause

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Clause 2d.—A witness summoned by virtue of the preceding clause shall be liable to the same penalties for speaking falsely on oath or otherwise, as the case may be, or for other misconduct, as is the practice in Courts of Criminal Judicature, which penalties however are to be adjudged and enforced by the civil authority:

Perjury or other misconduct in witnesses how to be punished

Clause 3d.—Witnesses shall be exempted from arrest in any civil proceeding while in attendance on a Court-martial, and during the time necessary for going and returning; wherefore, if any person should be so unduly arrested, he shall, on satisfactory proof made in a summary manner before the Court under whose authority he is held in custody, be forthwith discharged.

witnesses to be exempt from arrest:

SECTION VI.—*Clause 1st.*—A prisoner sentenced by a Court-martial to imprisonment, or solitary confinement, or hard labour, may be forwarded to the Criminal Judge of the district by the commanding officer of the district, with an authenticated copy of the sentence, which the Criminal Judge shall execute according to its tenor:

sentences made by a Court-martial may in certain cases be executed through the medium of the civil authority:

Clause 2d.—Periodical returns of such prisoners shall be made by the Criminal Judge to the Suddur Foujdaree Adawlut at the same time, and, so nearly as the matter will admit, in the same form as prescribed for other convicts, and, when the sentence has been executed, the authenticated copy of it shall be endorsed, as usual in warrants issued by a Court of Circuit, and returned to the Commanding Officer.

returns to be made in such cases.

CHAPTER II.

OF THE MILITARY COURT OF REQUESTS FOR DECIDING CIVIL ACTIONS FOR DEBT, AND OF THE JURISDICTION TO BE EXERCISED BY COURTS-MARTIAL IN CRIMINAL OFFENCES.

SECTION VII.—*Clause 1st.*—Wherever any of the Company's *Forces*

A military Court of Re-

REGULATION XXII. A. D. 1827.

quests (the Superintendent of bazars occasionally supplying its place) may try certain actions for debt;

Forces may be employed beyond the jurisdiction of the Court of Requests established at the Presidency, actions for debt and all personal actions not exceeding four hundred (400) Bombay rupees in amount against a person belonging, both when the suit is instituted and also when the cause of action arose, to any of the descriptions stated in Section III Clause 1st of this Regulation, shall be cognizable before a Court of Requests composed of military officers, and not by the ordinary tribunals within the territories subordinate to Bombay: provided however that the Superintendent of Bazars, or other staff officer when there is no Superintendent, may be employed in lieu of the said Court as denoted in Section XXXII:

how convened and composed:

Clause 2d.—The commanding officer of any station or cantonment is authorized to convene such Courts, which shall be composed (according to the orders of the Commander in Chief or Commanding Officer of the Forces for the time being, or, in the absence of such orders, according to the discretion of the convening officer) either of not less than three European commissioned officers, or of not less than three native commissioned officers with an European commissioned officer to superintend and record the proceedings;

its forms of procedure:

Clause 3d.—Each member of the Court shall take an oath according to his religious tenets to do impartial justice: the forms, proceedings and records shall be as usual in Courts-martial, and the attendance and evidence of witnesses not subject to military law shall be procured under the rules contained in Section V of this Regulation.

how the decisions are to be executed:

SECTION VIII.—*Clause 1st.*—It shall be competent to the Court, on finding any debt or damage due, to award execution of the decision, either generally, or by directing that the whole or any part of the amount be stopped and paid over to the creditor, out of any pay or public money which may be coming to the debtor in the current or any future month:

Clause

Clause 2d.—And, if the execution be awarded generally, the amount, if not paid forthwith, shall be levied by seizure and public sale of such of the debtor's goods as may be found within the camp, garrison, or cantonment, under a written order of the commanding officer grounded on the judgment of the Court:

by seizure and sale of effects that are

Clause 3d.—And if sufficient goods be not so found, then any which may subsequently be found within the said limits shall be liable to be seized and sold as above said in satisfaction of the remainder of the debt or damage; or any public money, or sum, not exceeding the half-pay accruing to the debtor, shall be stopped in liquidation of the said debt or damage; and, if such debtor shall not receive pay as an officer or soldier, or from any public department, he shall be arrested by written order of the commanding officer, and imprisoned in some convenient place within the said limits for a period of two (2) months, unless the amount be sooner paid.

or subsequently may be in camp,

by stoppages,

or by imprisonment.

SECTION IX.—*Clause 1st.*—All persons of the descriptions stated in Clause 1st of Section III of this Regulation shall be tried by a Native General Court-martial assembled and conducted according to the rules prescribed for such tribunals, and not by the ordinary Bombay Criminal Courts, if accused of having committed wilful murder, robbery, or other serious offence; provided that such Court-martial shall not be held at the Presidency, and provided also, that the place where the offence was committed be beyond the Bombay territories, or, otherwise, that it be neither at the Presidency, nor more than one mile from the limits of the principal Military Station in the Collectorate, or other Military Station previously notified for this purpose in a proclamation by Government:

Certain offences committed by certain persons will in some cases be tried by court-martial,

Clause 2d.—If the place where the offence was committed should be within the territories subordinate to Bombay, and more than one mile from the nearest limits of any Military Station

and in others by the ordinary criminal courts.

tion as described in the preceding Clause, the case shall belong exclusively to the ordinary tribunals of criminal judicature.

what punishments may be awarded by criminal courts martial:

SECTION X.—*Clause 1st.*—A person found guilty of an offence by a Court-martial, as stated in the preceding Section, shall be liable to death, or transportation for life, or for a term of years, or to such other punishment, according to the nature and degree of the respective offence, as the Court-martial may adjudge; but it is hereby provided, that the Commander in Chief shall have power to commute sentences of death into transportation for life or for a term of years, and also (with the consent of the party affected thereby, but not otherwise) to commute a sentence of transportation into one of temporary imprisonment, or of any other nature milder than that originally passed:

sentences of death or transportation to be confirmed by the commander in chief with the concurrence of Government:

Clause 2d.—And further, if the offence have been committed within the Company's territories, no sentence of death or transportation passed by a Court-martial by virtue of Section IX of this Regulation shall be carried into execution until confirmed by the General, or other officer commanding at the Presidency, with the concurrence of the Governor in Council; and, if a sentence of death be commuted, according to the preceding clause of the present Section to transportation, the confirmation by the Governor in Council shall be required for execution of the punishment adjudged in commutation:

parties entitled to copies of sentences and proceedings:

Clause 3d.—And any party tried by a Court-martial on the authority of this Regulation shall be entitled to a copy of the sentence and proceedings, on demand made by himself or any one on his behalf six months after the same, and, if the trial have been held in the Company's possessions beyond the seas or in foreign parts, then twelve months after the sentence:

how sentences of transportation are to be executed:

Clause 4th.—Execution of a sentence of transportation shall be done through the medium of the Criminal Judge, who will, on a request being made in writing by the Commanding Officer

of

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of the station receive charge of the convict and proceed as if the sentence had been passed by a Court of Circuit.

Penalty for embezzling or damaging public stores:

SECTION XI.—*Clause* 1*st.*—Any person of any of the descriptions specified in Clause 1st of Section III employed in the care or distribution of military stores, or any sort of public property applied to military purposes, who shall embezzle or fraudulently misapply or damage (or cause or connive at the same) any such stores or public property, may be tried for the same by a general Court-martial:

transportation &c.

Clause 2*d.*—And the Court may sentence such offender to be transported for life, or for a term of years, or to fine or imprisonment, or to dismissal from the Company's service, and incapacity of serving the Company again in any office civil or military, according to the nature and degree of the offence:

the offender is also responsible for the value.

Clause 3*d.*—And the offender shall also make good the loss or damage which the Court-martial may ascertain to have been sustained, which shall be recoverable by the process stated in Section XX of this Regulation.

Penalty of perjury when committed by a person amenable to military law.

SECTION XII.—Of the descriptions of persons specified in Clause 1st of Section III of this Regulation a commissioned officer convicted before a general Court-martial of perjury, by giving false testimony on oath or solemn declaration in any matter wherein his evidence may be so required, shall be cashiered, and any other individual guilty of the said offence, shall be punished at the discretion of a general or regimental Court-martial

A person who has been regularly tried by any court is not liable to a second trial.

SECTION XIII.—A person, who may have been tried for an offence by Court-martial, as stated in Section IX of this Regulation, shall not be tried for the same in any other Court whatsoever,

whatsoever, and no person, who has been acquitted or convicted of any offence by the civil magistrate, shall be punished by a Court-martial for the same otherwise than by cashiering.

sentence may be executed in certain cases through the medium of the civil authority:

SECTION XIV.— The rules contained in Section VI of this Regulation, for the confinement by the civil magistrate of prisoners sentenced thereto by a Court-martial for offences against military discipline, are equally applicable to cases, in which similar sentences have been passed for criminal offences.

CHAPTER III.

OF OFFENCES AND CIVIL ACTIONS RELATING TO THE MILITARY DEPARTMENT, BUT COGNIZABLE IN A CIVIL COURT.

penalty of perjury when committed by a person not amenable to military law:

SECTION XV.—Any person wilfully and knowingly giving false testimony, on oath or solemn declaration, before a Court-martial assembled under any of the provisions of this Regulation, shall be deemed guilty of perjury, and punished by the laws in force for such crime.

penalty for aiding the escape of convicts:

SECTION XVI.—Any person aiding the escape of a convict confined under sentence of a Court-martial held by virtue of Act 4th George IV Chapter 81, or of this Regulation, shall, on conviction before a magistrate or other higher tribunal, be liable to punishment by fine or imprisonment not exceeding seven years or both combined.

penalty for aiding desertion:

SECTION XVII.—Any person who shall persuade an officer or soldier, British or native, in the service of His Majesty or the Company, to desert, or shall wilfully harbour, conceal, or assist such deserter, shall, on conviction before a magistrate or other higher tribunal, be punishable with fine or imprisonment not exceeding four years or both combined.

penalty for making false musters or aiding the same:

SECTION XVIII.—Any person who shall furnish, or cause to be furnished, a false certificate whereby to excuse a soldier, British or native, for his absence from muster or any other service,

on

on pretence of his being employed on duty, or being sick, in prison, or on furlough, shall be liable to a forfeiture not exceeding rupees 400, which shall be recoverable as a debt, on prosecution by the commanding officer of the station in any Court having jurisdiction over the offender in actions for debt, and when recovered shall be disposed of as Government may direct; and further, the offender, if in the military service of the Company, shall be cashiered, and incapacitated from holding any military office in the Company's service.

how enforced:

SECTION XIX.—Any person receiving in purchase, gift, exchange or otherwise, any dress or arms, grain or forage, or articles of any nature known by such person to have been furnished by Government for the use of the British or native troops, or any department of the army, shall, on conviction before the magistrate or higher tribunal, be punishable with fine or imprisonment not exceeding four years, or both combined.

penalty for receiving military equipment or stores:

SECTION XX.—Any Court having cognizance of actions for debt, to whose jurisdiction a person who has been found guilty of the offence described in Section XI Clause 1st may be subject, shall, on prosecution by the commanding officer of the station, pass a decree against such offender to the amount of any loss or damage ascertained by the Court-martial to have ensued, and the amount (which shall be recoverable by the usual process of law) shall be disposed of as Government may direct.

how the value of embezzled or damaged stores is to be recovered and disposed of:

CHAPTER IV.

OF MARKING THE LIMITS OF CANTONMENTS, AND OF THE APPOINTMENT, FUNCTIONS AND AUTHORITY OF THE SUPERINTENDENT OF BAZARS.

SECTION XXI.—*Clause 1st.*—At military stations situated within the territories subordinate to the Presidency of Bombay, the limits of cantonments or bazars shall, when directed by the Governor in Council, be marked by the local magistrate and commanding officer in conjunction, subject to approval by the Governor in Council, in which limits private property is not to be included:

limits of military stations how to be ascertained:

Clause

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plans thereof to be kept:

Clause 2d.—The above mentioned officers shall report the limits, with a plan thereof, to the Governor in Council, and when they have been approved, a plan shall be kept by the magistrate, and another by the commanding officer.

a superintendent of Bazars to be appointed:

SECTION XXII.—*Clause 1st.*—At every station where limits have been marked, as described in the preceding Section, an officer, to be denominated Superintendent of bazars, shall be appointed by the Governor in Council:

vacancies how to be supplied:

Clause 2d.—When by death, or illness, or absence, or any other cause, the Superintendent of Bazars is unable to continue the duties of his office, the commanding officer shall appoint a person to act until the vacancy be supplied by the Governor in Council, to whom the commanding officer shall report the new appointment and its cause immediately.

the superintendent to be subordinate to the commanding officer and to qualify by oath:

SECTION XXIII.—The Superintendent of Bazars shall, under the immediate authority of the commanding officer, perform the duties assigned to him in this Regulation, and, previous to entering on the functions of his office, shall take and subscribe, before any person or persons commissioned by Government to administer it, the following Oath: "*I —— appointed Superintendent of bazars at the station of ——, swear that I will impartially discharge the judicial duties of that office, and will neither derive, nor connive at any person under my authority deriving, any profit therefrom, except such as may be officially allowed.*

"*So help me God.*"

the superintendent to have charge of the police establishment;

SECTION XXIV.—The Superintendent of bazars shall have charge of such official establishment, for maintaining order and convenience in the limits of the cantonment, and enforcing rules established for that purpose by the commanding officer, subject always to the control of Government, as may be placed at his disposal.

SECTION

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SECTION XXV.—*Clause 1st.*—The Superintendent shall have authority to take evidence on oath or solemn declaration, when necessary in the course of his duties, and a false statement made before him on such occasions shall be punishable as if it had occurred in a Court of Criminal Judicature:

and empowered to take evidence:

Clause 2d.—And if a person (not being a British-born subject) found within the limits of the cantonment refuse to attend or give answer when summoned by the Superintendent to give evidence, he shall be confined until he complies:

how to procure the evidence of persons within the military limits,

Clause 3d.—And, if the evidence of a person without the said limits be required, it shall be procured by application to the Civil Court in the mode described in Section V Clause 1st.

and how of those without:

SECTION XXVI.—*Clause 1st.*—The Superintendent shall try and punish the offences specified in this section committed within the limits of the cantonment by any person not being a British-born subject, provided the said offences be not of such a nature as is described in Section IX of this Regulation to be within the jurisdiction of a Court-martial:

the superintendent may take cognizance of certain offences

Clause 2d.—But he shall not take cognizance of such offences, unless the charge be made within ten (10) days after the offence was committed, nor unless the offender be apprehended within the limits of the cantonment within three (3) months of the offence having been committed:

within a certain period of time:

Clause 3d.—In cases of trivial assault, petty theft, riotous conduct, abusive language, or calumny, using false weights or measures, issuing false or counterfeit coin, or having in possession more than five pieces of such without lawful excuse, and also in cases of breach of such rules as may have been established by the commanding

what offences are thus cognizable:

ing

ing officer for maintenance of order duly promulgated by beat of drum, and by a translation into the language current in the cantonment, and signed by the Brigade Major or other staff officer of the station, being fixed in some conspicuous part of the bazar; and in cases of misconduct on the part of servants, such as insolence, disobedience, neglect, or quitting service without a month's previous warning, the Superintendent is authorized to adjudge a fine not exceeding fifty (50) Bombay rupees, or corporal chastisement not exceeding twenty four (24) rattans, or to confine the offender for a period not exceeding one month, and, if the fine be not paid, the offender is, in lieu thereof, to be confined for a period not exceeding one (1) month.

and how punishable:

How the Superintendent is to dispose of offenders on whom he is not authorized to pass sentence:

SECTION XXVII.—If any person within the limits of the cantonment be charged with an offence of which the Superintendent is not authorized to take cognizance, or if it be of such a nature as to require greater punishment than he is authorized to inflict, he shall report the case to the commanding officer, in order that it may be brought before an authority competent to try it.

Complaints made against British-born subjects by Natives how to be proceeded with:

SECTION XXVIII.—*Clause 1st.*—It is enacted in the Act 53d Geo. III Chap. 155, Section 105, that "the magistrate of a district shall have authority, on complaint being made to him "by a native that any British subject has therein committed "assault, forcible entry, or other injury accompanied with force, "not being felony, to take cognizance of the same, and having "taken in writing the substance of the complaint, defence, and "evidence, to acquit or convict the party accused:"

what punishments may be inflicted:

Clause 2d.—And it is further thereby enacted, that "in case "of conviction the said magistrate may inflict on the party a "fine not exceeding five hundred (500) rupees, to be levied in

"case

" case of non-payment by warrant under the hand of the magis-
" trate upon any property of the party which may be found in
" the said district, and, if no such property be found, then the
" magistrate may by warrant under his hand commit the party
" to confinement in some fit place within the district for a
" period not exceeding two months, unless the fine be sooner
" paid; and, if there be no such fit place, then in the gaol at the
" Presidency under the like limitations; and the magistrate may
" award the whole or any portion of the fine to the party ag-
" grieved in compensation for the injury:"

report to be made to Government.

Clause 3d.—It is also provided in the said enactment, that "in
" case of conviction a copy thereof and all depositions and pro-
" ceedings relating thereto shall forthwith be transmitted by
" the magistrate to the Government of the Presidency, and
" that the fine, or what may remain after making compensation
" as above said to the party aggrieved, shall be transmitted to
" the Clerk of the Crown or other officer whose province it is
" to receive fines in His Majesty's Court of Oyer and Terminer
" and Gaol Delivery for the respective district:"

and fines how to be disposed of.

convictions may be removed into the Supreme Court, &c.

Clause 4th.—And it is also provided in the said enactment that
" such conviction is removable by writ of *certiorari* into the
" said Court of Oyer and Terminer and Gaol Delivery, but that
" nothing herein contained shall prevent the magistrate from
" committing or holding to bail any British subject charged
" with any such offence in the same manner as he might other-
" wise have done."

but this shall not prevent an offender's being committed or held to bail:

the preceding rules how applicable to the Superintendent of Bazars:

Clause 5th.—It is held that the above quoted rules in this Section are applicable to the Superintendent of bazars as magistrate within the limits of the cantonment, he having duly qualified as a justice of the peace, provided that the cantonment be within 120 miles' distance from the Presidency, otherwise the offender is to be tried by Court-martial.

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Superintendent to control traffic in spirituous liquors:

SECTION XXIX.—It shall also be the duty of the Superintendent of bazars to control the manufacture and sale of spirituous liquors, according to the rules contained in Chapter IX of this Regulation.

Sentences to be confirmed by the commanding officer.

SECTION XXX.—The Superintendent of bazars shall not execute any sentence, either in the criminal or excise branch of his duties, until he has submitted his proceedings to the commanding officer, who shall have power to suspend, mitigate, remit, or confirm the sentence, expressing his final order by endorsement on the paper containing the same: his trials in the said branches shall also be recorded in writing as usual on Courts-martial, and he shall furnish to the commanding officer on the 1st of each month a return of sentences executed during the preceding month, stating the dates of sentences, names of offenders, nature of offences, and the sentences, as in the following Form:

and proceedings recorded: return to be made to the commanding officer:

RETURN of punishments and confiscations inflicted by the Superintendent of bazars at —— during the month —— A. D.——

DATE.	NAME OF PRISONER.	OFFENCE.	SENTENCE.
3d.	Jhun Mahomed.	Stealing copper pots Value Rupees 25.	20 Stripes.
7th.	Ibrahim Moosa.	Smuggling a Cask of Mowra.	The mowra confiscated.

1st of —— A. D. ——

(Signed)

Superintendent of bazars:

and forwarded to the Commander in chief:

Which return the commanding officer shall forward to the Commander in chief on the 15th of the month in which received.

SECTION

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SECTION XXXI.—All fines imposed and levied by the Superintendent of Bazars otherwise than by virtue of Section XXVIII are to be applied as directed by orders from the Governor in Council. fines how disposed of.

SECTION XXXII.—*Clause 1st.*—With the view of providing speedy justice in cases where the amount in dispute is trifling and delay is seriously inconvenient, the Superintendent of Bazars shall have authority to receive, try and decide in a summary manner pecuniary claims coming within the jurisdiction of the Court of Requests as described in Sect. VII, provided that the sum in dispute shall not exceed Bombay Rs. (30) thirty; but whenever any reason appears for assembling a Court of Requests, the Superintendent shall apply to the commanding officer for orders, and act accordingly: The Superintendent may try certain cases of debt.

Clause 2d.—In trying the suits falling under his cognizance by virtue of the preceding clause the Superintendent of Bazars shall procure the attendance and evidence of witnesses under the rules of Sect. XXV, and shall record his proceedings and his decree in writing as usual in Courts-martial and in the English language: the decree shall be countersigned by the commanding officer, on whose order it shall further be executed in the mode prescribed in Sect. VIII for decrees of the Court of Requests; a monthly return of his decisions according to the following form shall also be furnished by the Superintendent to the commanding officer on the 1st of each month, and shall be forwarded on the 15th of the said month to the Commander in Chief. his proceedings how recorded and his decrees how executed. Returns to be furnished monthly.

RETURN of decisions in suits for debt passed by the Superintendent of Bazars at —— during the month of ——.

Date of Decree.	Names of Parties.	Matter in dispute.	Decree.
5th July 18—	A. B. agt. C. D.	Rs. 25 for grain supplied.	For the Plaintiff 15 Rupees.

1st of August 18—

(Signed,) ——

Superintendent.

Clause

Civil suits not of a simple pecuniary nature to lie only by the regular courts, the Superintendent interfering only as Magistrate.

Clause 3d.—In all disputes regarding expulsion from Caste, marriage, succession, adoption, the right or title to immoveable property, or other matters not of a pecuniary nature, the interference of the Superintendent shall be limited to the object of preserving the peace, and preventing or correcting any change in the relative situation of the parties previously to a judicial decision of the point in dispute.

CHAPTER V.

PROCESS BY CIVIL AUTHORITY HOW TO BE CONDUCTED WITHIN THE LIMITS OF CANTONMENTS.

How communications are to be forwarded by civil officers to the Superintendent.

SECTION XXXIII.—When a civil officer shall have occasion to communicate officially with the Superintendent of Bazars, he shall transmit his communication under cover to the commanding officer, who shall forward any answer that may be required.

and how attachments are to be executed within the military limits:

SECTION XXXIV.—*Clause 1st.*—When any process of attachment or sale of property, or arrest of person for debt, to take effect within the military limits, is issued by any Court of justice except the Supreme Court at the Presidency, the process shall first be carried to the commanding officer, or senior officer within the limits, who shall immediately back the same with his signature, and give his utmost assistance to the officer in executing the process according to its tenor:

but the above rules are not to apply to citations or arrest for offences,

Clause 2d.—But nothing herein contained shall be construed to prevent the service by the officer of the court in the usual way of any process of mere citation, nor of process of arrest for offences cognizable by the said Court:

though intimation will be given to the Superintendant.

Clause 3d.—But if a person is arrested under the last preceding clause, the officer of the court shall immediately report the circumstance and produce the warrant to the Superintendent of Bazars, for the information of the commanding officer.

CHAPTER VI.

RULES FOR PUNISHMENT OF OFFENCES COMMITTED BY CAMP FOLLOWERS DURING A MARCH.

Camp followers on a march when not at the presidency.

SECTION XXXV.—*Clause 1st.*—Natives not enlisted, but accompanying a military corps during its march, shall be amenable

nable, as subsequently set forth, for acts committed during the march at any place beyond the Presidency:

amenable for certain offences to a court-martial:

Clause 2d.—In cases of fraud committed towards any person belonging to the detachment, whether enlisted or not, and in cases of theft, or affray, or riotous conduct, whoever may be the sufferer, or misconduct on the part of servants, the commanding officer is empowered to seize, and cause to be tried before a court composed of not less than two European commissioned officers, the offender or offenders:

what punishment may be inflicted:

Clause 3d.—The said Court may award punishment not exceeding thirty (30) stripes with a rattan, or a week's confinement, which however shall not be executed until the proceedings, recorded as is usual on Courts-martial, shall have been laid before the commanding officer, to whom it shall be competent to mitigate, confirm or annul the sentence passed.

how the above offences may be punished if a court cannot be convened:

SECTION XXXVI.—If there be not a sufficient number of European officers present with the detachment to form a Court, as prescribed in the preceding Section, the commanding officer, provided he be not of lower rank than Ensign, is empowered to investigate such matters as therein stated, and inflict punishment not exceeding fifteen (15) stripes with a rattan, or forty eight hours' imprisonment, and he shall record the nature of the charge, to be deposited with the regimental records.

evidence on oath or solemn declaration may be taken in the preceding cases:

SECTION XXXVII.—The Court mentioned in Clause 2d of Section XXXV, and the commanding officer, when acting by virtue of Section XXXVI, shall be competent to take evidence on oath or solemn declaration, and perjury committed before them shall be punished by the ordinary authorities of criminal judicature as if it had been committed before any such authority.

reservation of the jurisdictions of the Native General Court-Martial and the ordinary criminal tribunals in more serious cases.

SECTION XXXVIII.—It is to be clearly understood that the cases provided for in Sections XXXV and XXXVI are not to include the offences specified in Section IX committed by camp followers: the said offences will be tried by a Native General Court-martial

Court-martial or the ordinary tribunals of criminal judicature according to the rules contained in Section IX.

and minor complaints also may be prosecuted before the Magistrate.

SECTION XXXIX.—The authority also conferred by Sections XXXV and XXXVI is not to supersede that of the civil magistrate in any case where a person not belonging to the detachment is a complainant, unless the said complainant shall already have applied for redress to the commanding officer, and proceedings shall have commenced thereon, otherwise the civil magistrate shall proceed according to the rules of the general code in all matters laid before him.

CHAPTER VII.

OF THE AID WHICH MAY BE FURNISHED BY CIVIL AUTHORITIES TO EXPEDITE THE MARCH OF MILITARY FORCES, AND OF COMPENSATION TO INDIVIDUALS FOR DAMAGE CAUSED BY THE TROOPS ON SUCH OCCASIONS.

Notice to be given to the magistrates through whose jurisdictions troops may pass:

SECTION XL.—When military bodies, exceeding in number two hundred (200) of infantry or one hundred (100) of cavalry, shall have occasion to march through British territory, and also, if the number be smaller, provided they will require aid from the local authority, the commanding officer shall give timely notice to each magistrate through whose jurisdiction he will pass, specifying the probable time of his arrival, the extent of the corps, and the nature of the aid (if any) which will be required.

what aid the magistrate shall furnish,

SECTION XLI.—*Clause 1st.*—If it be required, the local magistrate shall direct his establishment to be in readiness to procure guides, and such supplies of provisions as the country may furnish, and such conveyance for passing rivers or ghauts, or any peculiarly difficult places, as is professionally provided by the inhabitants for such purposes:

and how it shall be paid for:

Clause 2d.—Provisions and conveyance supplied as abovementioned to individuals shall be paid for by them at the time and at the current rate of the place, the guides and conveyance for public property shall be paid for at the same rate by the Collector of the district, according to a certificate

cate which the commanding officer is to grant denoting the services performed, and the Collector is to insert the amount so disbursed at the foot of his treasury account in explanation of his treasury balance as prescribed for similar cases.

on emergent occasions aid may be procured by impressment;

SECTION XLII.—*Clause 1st.*—When emergent occasions require the immediate march of troops, and more extensive aid towards it, than is allowed by the preceding section, is necessary, the local magistrate may resort to impressment under the following rules, being careful to define the nature of the employment for which the impressment is made, and the period it is to continue:

what is to be considered as constituting such emergency

Clause 2d.—The magistrate's authority for acting as in the preceding clause shall be either an order from the Governor in Council, or a letter from the commanding officer declaring his inability to proceed without the magistrate's aid, and fully explaining the circumstances, which render the movement of paramount importance to the general inconvenience occasioned by impressment, on receipt of which the magistrate will act at discretion.

and how remuneration is to be made;

Clause 3d.—Remuneration for services or supplies procured by impressment is to be fixed by the magistrate on a liberal scale, and paid according to the principles of Clause Second Section XLI of this Regulation; viz. individuals are to pay for that which is personal accommodation, and the Collector is to defray the charges incurred for the public service under the above quoted rules.

the magistrate to report when he resorts to impressment.

Clause 4th.—Whenever impressment shall take place by virtue of this section the magistrate shall within ten (10) days report the fact, with the cause and extent of impressment, and the rates of remuneration allowed, both to the Governor in Council and the Court of Suddur Foujdary Adawlut.

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How persons sustaining injury by the march or encampment are to seek redress,

SECTION XLIII.—*Clause* 1*st.*—When damage is occasioned to individuals by the march or encampment of troops, the commanding officer shall, on application by the sufferer, furnish him with a certificate of the nature, extent and cause thereof.

and within what time :

Clause 2*d.*—The certificate mentioned in the preceding clause shall, if presented to the Collector or any of his officers holding charge of a district within ten days from its date, entitle the sufferer to compensation for loss occasioned by such movements or positions of the troops as are *bonâ fide* of a military nature.

In failure whereof they may resort to law.

Clause 3*d.*—On a demand being made by virtue of this section to the Collector he shall inquire into its merits, and if satisfied that it is just shall apply to Government for permission to pay it; if the Collector think the demand is not just, or if Government withhold permission to pay it, the complainant may bring the case to decision according to the process of civil law, by instituting a suit against the Collector.

CHAPTER VIII.

OF REQUISITIONS FOR MILITARY AID BY CIVIL AUTHORITIES.

Military aid how to be procured at the presidency :

SECTION XLIV.—Whenever Civil Officers may require guards or military aid at the Presidency, they are to apply to the Governor in Council through the channel prescribed for public correspondence.

permanent guards how to be procured at outstations :

SECTION XLV.—Permanent guards for protection of jails or treasuries, or official purposes in general at outstations, shall be furnished according to instructions issued by the Governor in Council, to whom the Civil Officer requiring them will apply in the first instance: in the interim of such application, if delay should appear likely to occasion injury to the public service, the Civil Officer will apply for a temporary guard according to the rules of the succeeding section.

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SECTION XLVI.—*Clause* 1*st.*—When temporary guards or escorts are required at outstations, the civil officer making the requisition is to state fully and circumstantially to the commanding officer at the station the nature of the service to be performed, and the commanding officer will furnish such force as he may think requisite for the purpose.

temporary aid how to be procured at outstations:

Clause 2*d.*—If the commanding officer to whom a requisition is made shall perceive any substantial objection to a compliance therewith, he shall be at liberty to suspend the same, and refer the case to the Commander in Chief, who, if he does not think it proper to order compliance with the requisition, shall lay the matter before the Governor in Council for decision.

how the Commanding Officer is to act when perceiving substantial objections to a requisition:

SECTION XLVII.—Civil officers employing military guards or escorts either permanent or temporary shall on the first day of each month transmit to government a statement of such as may have been employed during the preceding month.

Civil Officers to report to Government all military guards employed.

CHAPTER IX.

RULES RELATING TO THE SALE OF SPIRITUOUS LIQUORS AT MILITARY STATIONS AND DURING A MARCH.

SECTION XLVIII.—*Clause* 1*st.*—The manufacture of spirituous liquors within the limits of cantonments is hereby prohibited, and, in addition to the restrictions on sale of the same which are enacted in the general code, it shall be necessary for venders within the said limits to procure a licence from the Superintendent of bazars, for which however no charge is to be made.

Manufacture of spirits within military limits prohibited,

and venders to be licensed by the Superintendent:

Clause 2*d.*—The rules in the preceding clause shall also have effect in any additional space surrounding the limits of a cantonment which the Governor in Council may determine, provided the additional limits be marked and plans kept as described in Section XXI of this Regulation.

the limits may be extended to a certain additional space in so far as regards manufacture and sale of spirit:

Clause

illicit manufacture of spirits how to be punished:

Clause 3d.—And if any manufacture of spirits be attempted within the limits of a cantonment, or the said additional space, the Superintendent shall give information thereof to the Collector, who will proceed according to the rules in force regarding illicit manufacture.

illicit sale of spirits how to be punished:

SECTION XLIX.—*Clause 1st.*—The Superintendent of bazars shall have authority to punish natives vending without his licence spirituous liquors within the military limits, and any additional limits around them, which may have been fixed in the manner specified in the preceding section, for the first offence, by fine not exceeding fifty (50) Bombay rupees, to be enforced by imprisonment not exceeding one month, unless the fine be sooner paid, and for each subsequent offence, either by corporal punishment not exceeding twenty four (24) stripes with a rattan, or fine not exceeding one hundred (100) Bombay rupees, to be enforced by imprisonment not exceeding two months, unless the fine is sooner paid, such fine when realized to be in all cases disposed of as the Governor in Council may direct.

punishment for selling spirits without permission to Europeans of a certain description or for their use:

Clause 2d.—He shall also be authorized to punish as in the preceding clause natives selling spirituous liquors to an European non-commissioned officer, soldier, or woman belonging to the detachment, or to any one for their use within the said limits, without having first obtained the commanding officer's permission in writing.

smuggling how to be punished:

Clause 3d.—He shall also be authorized to punish as above stated natives smuggling spirituous liquors within the said limits, provided they are apprehended therein.

smuggled liquor how to be disposed of:

Clause 4th.—He shall also be authorized to confiscate spirituous liquors smuggled within the said limits, and, if there be a contractor for sale of liquor at the station, the confiscated liquor shall be given to him, otherwise it shall be destroyed.

Clause

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proceedings in the above cases how to be recorded and confirmed.

Clause 5th.—The above punishments and confiscations shall be subject to the rules regarding confirmation by the commanding officer which are prescribed in Section XXX of this Regulation, and shall be included in the return specified in the said section.

Liquor contractors allowed only where the force amounts to half a regiment.

SECTION L.—Military contractors shall not establish shops for sale of spirituous liquors at a station where is less than half a regiment.

Sale of liquors to Europeans of a certain description or for their use how to be punished beyond the military limits, and notice of the same to be annexed to licences.

SECTION LI.—Any native selling spirituous liquors beyond military limits to the persons specified in Clause second of Section XLIX, without written permission from the commanding officer, shall be fined by the local magistrate fifty (50) rupees for the first offence, and one hundred (100) for each subsequent offence, notice of which penalty shall be annexed to each licence granted by the Collector.

In what cases individuals may import liquors for private use free from duty:

SECTION LII.—*Clause 1st.*—All foreign spirituous liquors introduced into a collectorship on the way to a military station the limits of which have been marked according to Section XXI of this Regulation, shall pay the same import duty as if they had been introduced for any other purpose, unless accompanied by a certificate, stating that they are for the use of individuals, and are not to be resold:

certificate for the above purpose by whom to be made:

Clause 2d.—The above certificate shall be furnished by the person for whose use the liquor is imported, or by some other person on his behalf:

the liquor may be detained if the certificate appears suspicious:

informers how to be rewarded.

Clause 3d.—The Collector shall have authority to detain the spirits, until he is satisfied that the certificate is not forged nor for fraudulent purposes, on proof of either of which facts the liquor shall be confiscated and sold, a reward of one half the proceeds therefrom being assigned to any person, or divided at the discretion of the Collector among any persons, through whose exertion or information the fraud was detected.

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Liquor venders how to be licensed during a march from a station where is a superintendent of bazars,

SECTION LIII.—*Clause 1st.*—Troops marching from a military station where there is a Superintendent of bazars may be accompanied during the march by such liquor venders as are authorized by licence from the Superintendent of bazars:

and how amenable for misconduct:

Clause 2d.—And such liquor venders shall be subject to the punishments provided in the four first Clauses of Section XLIX of this Regulation for offences within the limits of the camp, the proceedings and decisions to be made by the commanding officer instead of the Superintendent, but for acts beyond those limits they shall be subject to the general rules of the code:

how licensed and amenable on a march from a station where there is no superintendent of bazars:

Clause 3d.—Troops marching from stations where a Superintendent of bazars has not been appointed, may be accompanied during their march by liquor venders authorized by the commanding officer, and they shall be liable to punishment by him for offences in the way specified in Clause second of this Section:

licences in certain cases to stipulate an obligation to accompany troops during a march:

Clause 4th.—The obligation so to accompany troops when required shall form part of the stipulations under which the Collector is to grant licences at the stations where there is not a Superintendent of bazars.

the commanding officer's consent requisite to licences where there is no Superintendent of bazars:

SECTION LIV.—*Clause 1st.*—At military stations where there is no Superintendent of bazars, the Collector shall not grant a licence for the sale of spirituous liquors to any person without the commanding officer's consent:

the Commanding Officer to aid the Collector's process respecting sale and manufacture of liquors;

Clause 2d.—At all stations it shall be the duty of the commanding officer to use every possible care to prevent the troops or followers from obstructing the Collector's process, according to the general regulations respecting the vend and manufacture of spirituous liquors:

and the collector, if pos-

Clause 3d.—The Collector shall however, when it can be done without

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without inconvenience to the public service, execute process within military limits by application to commanding officers and shall uniformly acquaint them with the result of a search.

sible, to execute such process by application to the commanding officer.

SECTION LV.—If a Collector shall refuse to suppress any shop or still in the vicinity of a military station on the commanding officer requesting it, the case shall be referred by the latter to the Governor in Council, who will issue such orders as he may deem proper.

How liquor shops or stills near military stations may be suppressed.

(Miscellaneous Branch.)

A. D. 1827. REGULATION XXIII.

A REGULATION *imposing certain restrictions on money transactions between persons filling certain Civil Offices, and others, and on the employment of individuals, with whom they may have such transactions, by the said Officers in official capacities; on the possession of landed property by Europeans and Americans, and on the general use of uniforms and badges.*—PASSED *by the Governor in Council on the 1st January* 1827, *corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of three (3) Chapters, as below:

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Prohibition against money transactions between certain Civil Officers and certain Natives, and against the said Civil Officers unauthorizedly employing their native creditors in official capacities*.....	I.
II.	*Restrictions on the occupation of land by Europeans or Americans*.....	III.
III.	*Restrictions on the use of uniforms and badges*.....	V.

(Miscellaneous Branch.)

REGULATION XXIII. A. D. 1827.

A REGULATION *imposing certain restrictions on money transactions between persons filling certain civil offices and others, and in the employment of individuals, with whom they may have such transactions, by the said officers in official capacities: on the possession of landed property by Europeans and Americans, and on the general use of uniforms and badges.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS it is essential to provide against the temptations which might be produced by a concurrence of private interests between European officers holding appointments of high responsibility and natives immediately subordinate to the said officers, or acting executively with relation to them; and whereas it is expedient that Europeans and Americans should not be permitted to occupy land in the territories subordinate to the presidency of Bombay without the special sanction of government, and whereas the distinctions intended to be preserved by the use of uniforms and badges must be destroyed by a general use of the same, the following rules have been enacted to have effect from such date as shall be prescribed in a regulation to be hereafter passed for that purpose.

CHAPTER

REGULATION XXIII. A. D. 1827.

CHAPTER I.

PROHIBITION AGAINST MONEY TRANSACTIONS BETWEEN CERTAIN CIVIL OFFICERS AND CERTAIN NATIVES, AND AGAINST THE SAID CIVIL OFFICERS UNAUTHORIZEDLY EMPLOYING THEIR NATIVE CREDITORS IN OFFICIAL CAPACITIES.

Certain civil officers prohibited from having money transactions with certain natives;

SECTION I.—*Clause* 1*st.*—All persons holding the situations of Judge of the Suddur Adawlut, Register or Assistant Register to the said Court, Zilla Judge, or Magistrate, or Assistant to either of those officers are, on pain of dismission from their situations, prohibited from having any money transactions directly or indirectly, either as borrowers or lenders with any native on the judicial or revenue establishments of the province or zilla over which their authority extends, with any landholder, or farmer of land, dependant talookdar or under farmer or ryot having real property or any commercial establishment within that province or zilla, or with the sureties of such persons.

prohibited loans made by such officers, not recoverable.

Clause 2*d.*—Loans made by any of the public officers enumerated in the preceding Clause, in violation of its provisions, are further declared not recoverable in any Court of Judicature.

Such officers must not employ their creditors under them without leave, and must report any creditor coming under their control:

SECTION II.—*Clause* 1*st.*—No person being a creditor of any of the officers enumerated in clause 1st of the preceding section shall be appointed to any official situation, in which he may be accountable to the said officer, unless by the express permission of Government previously obtained: and any such officer, who may on the promulgation of this regulation or hereafter at any time find any creditor of his so situated as to be accountable to him, shall immediately on becoming aware of the circumstance report the same to Government, or failing to do so will be rendered liable to dismissal from office.

Clause

A. D. 1827. REGULATION XXIII.

Clause 2d.—The rules contained in the preceding clause, for precluding the creditors of the public officers above mentioned from being employed on their public establishments, shall be considered as equally applicable to such persons as may have an immediate connexion of interests with the said creditors; such persons shall therefore, as well as the said creditors, be equally and under the same rules precluded from being employed on the establishment of any of the public officers above described.

persons united in interest with the creditors are to be viewed as creditors.

CHAPTER II.

RESTRICTIONS ON THE OCCUPATION OF LAND BY EUROPEANS OR AMERICANS.

SECTION III.—*Clause 1st.*—No British subject or other European, or American shall purchase, rent, occupy or possess, directly or indirectly, any land in the zillas subordinate to the presidency of Bombay without the sanction of the Governor in Council, and all such persons now holding such land, without having obtained such permission, or who may hereafter purchase rent or occupy such land, shall be liable to be dispossessed of the same at the discretion of the Governor in Council; nor shall they be entitled to any indemnification for buildings which they may have erected, or on any other account.

Land not to be occupied by Europeans or Americans without leave and will be taken from them.

Clause 2d.—Europeans or Americans who are not forbidden to make loans to natives on the judicial and revenue establishments, to landholders or farmers of land, dependant talookdars, under farmers or ryots, or their sureties, may make such loans on the security or mortgage of lands or leases, but they shall not be allowed directly or indirectly to hold possession of the land, the usufruct or lease whereof may be mortgaged to them as security for the loan, or to make or appropriate the collections, or to have any concern or interference whatever in the management or collection of the rents or revenues of the lands, without the sanction of the Governor in Council.

they may receive lands in mortgage, but must not without leave collect the rents or manage the lands.

SECTION

REGULATION XXIII. A. D. 1827.

Land permitted to be occupied by an European or American to be measured,

SECTION IV.—*Clause* 1*st.*—When an European or American shall under the provisions of the preceding section be permitted by the Governor in Council to purchase, occupy, or rent land in any zilla, it shall be measured by an officer to be appointed by the Collector, and the expence attending the measurement shall be paid by the party purchasing, renting or occupying the ground.

and annual reports of such occupancies to be made in detail to Govt.

Clause 2*d.*—The Collectors of land revenue shall transmit an annual statement on the 1st of January of each year specifying the names of the Europeans or Americans possessing or renting, or occupying land within their respective zillas, the extent of the land, the purpose to which it is appropriated, and from what period, and under what authority it is so held.

CHAPTER III.

RESTRICTIONS ON THE USE OF UNIFORMS AND BADGES.

No person without authority to dress any individual in a military uniform,

or a near imitation of it:

SECTION V.—*Clause* 1*st.*—All persons whosoever (excepting such privileged persons as the Government may specially exempt from the operation of this enactment) are forbidden to dress any of their servants official or private, or whether for the purpose of parade or of business, in a military uniform, or in a dress so nearly resembling any uniform prescribed for the army, as to enable the person wearing it to impose it on the country people as such.

no person without authority to wear such dress,

Clause 2*d.*—All persons excepting those actually in the military service of the Company, or in the service of persons specially exempted as provided for in the first clause of this Section, are forbidden to wear such dresses as those prohibited in the said clause.

which will be taken from him by the

Clause 3*d.*—The several local Magistrates are hereby authorized and required to deprive of a military dress any person who

who shall wear it contrary to this enactment; the local officers of police are also empowered and directed to apprehend all persons of the above description and to send them to the Magistrate, who will deal with them in the manner above prescribed.

gistrate to whom he will be sent by the police officers.

SECTION VI.—*Clause* 1*st*.—No person shall be allowed to distinguish with badges his peons or other servants, except such as may be employed in official establishments, among which farms of revenue are to be included only when specially permitted by Government.

Badges to be worn by official peons only, those of farmers being occasionally included.

Clause 2*d*.—The several Magistrates are empowered and directed to apprehend any person who shall wear a badge in opposition to the prohibition contained in the preceding clause, and to deprive him of it. The local officers of police are also authorized and directed to apprehend persons of the above description and to send them to the Magistrate by whom the offender will be dealt with as above described.

Persons without authority wearing badges will be apprehended and deprived of them by the police.

Clause 3*d*.—And further any European or American, not being a public officer to whom such description of public servants is allowed, employing badged peons or other descriptions of servants wearing badges, contrary to this prohibition, will be liable to the severe displeasure of Government, on representation of the circumstances of the case by the Magistrate, who is directed to report all such instances for the information and orders of the Governor in Council.

Offending Europeans and Americans will incur the displeasure of Govt. to whom the magistrate will report.

(Miscellaneous Branch.)

A. D. 1827. REGULATION XXIV.

A REGULATION *for restricting the establishment of printing presses and the circulation of printed books and papers.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

(Miscellaneous Branch.)

REGULATION XXIV. A. D. 1827.

A REGULATION *for restricting the establishment of printing presses and the circulation of printed books and papers.*—PASSED *by the Governor in Council on the 1st January 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era 1883, Salbahan 1748, and 2d Jummady-ool Akhir 1242 of the Hijree.*

Preamble.

WHEREAS it has been deemed expedient to guard against the evils which may be expected to arise from the unrestrained establishment of printing presses and circulation of printed books and papers, the following rules have therefore been enacted to have effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

Presses, must not be established without licences which may be recalled:

SECTION I.—*Clause 1st.*—No person shall keep or use within the territories subject to the Presidency of Bombay any instruments for printing without the sanction and licence of the Governor in Council obtained as directed in the present section, and the Governor in Council reserves to himself the full power of recalling such licence, whenever he may deem the measure suitable, inthe manner denoted in this section.

application how to be made for licence:

Clause 2d.—Any person desirous of keeping or using instruments for printing shall address a written application to the Magistrate of the Jurisdiction, specifying the name and profession, caste or religion, and place of abode of the applicant, and also of every other person who may be concerned as proprietor or publisher, and the place where and purpose for which

which such printing is to be conducted; and the above particulars shall be verified by the oath or solemn declaration of any of the aforesaid persons whom the Magistrate may select.

The grant and recal of licences how to be conducted and notified.

Clause 3d.—The Magistrate shall then forward the said application (with a translation if it be not in the English language) to the Governor in Council, who will either grant absolutely or conditionally, or withhold the licence, as to him may seem expedient, and the same shall be signified to the party by the Magistrate in writing; and a recall of the licence, if such should take place, shall also be communicated by the Magistrate by a written notice delivered at the place where the press is permitted to be used.

Printed works to contain the names of the printer and place, and copies to be delivered to the Magistrate who will send them to Government.

Clause 4th.—Every book or paper printed at a press licenced as above shall contain at the beginning and end in the same language and character as that used in the text the name of the printer, and place where printed, and a copy shall be immediately forwarded to the Magistrate, who will pay for it the price at which it may be offered to purchasers in general; and he shall forward such copy to the Chief Secretary to Government.

Breach of the preceding rules how punishable.

SECTION II.—*Clause 1st.*—Any breach of the rules prescribed in the 1st and 4th Clauses of the preceding section to be observed by persons keeping or using instruments for printing shall be punished with fine not exceeding one thousand (1000) Rupees, commutable to ordinary imprisonment for a period not exceeding six months.

Search for and confiscation of unlicenced instruments for printing, books &c.

Clause 2d.—And it shall also be the duty of the Magistrate to search for under the rules contained in Regulation XII A. D. 1827 Section IX Clause 4th and seize all instruments and materials kept or used in breach of the said rules together with any printed books or papers found on the premises to be confiscated and disposed of as the Governor in Council may direct.

SECTION

SECTION III.—*Clause* 1*st*.—It shall be lawful for the Governor in Council to prohibit the public circulation of any book or paper within the territories subject to the Presidency of Bombay, notice thereof being given by publication in the English, Mahratta and Goozeratee languages in the newspaper used for official advertisements, and similar notice being affixed at the Zilla Courts and Zilla Magistrate's Police kucheries of the districts to which the prohibition is to apply.

Circulation of printed books and papers how to be prohibited.

Clause 2*d*.—Any person who shall act in opposition to a prohibition so notified shall be punished with fine not exceeding one hundred (100) Rupees commutable to ordinary imprisonment during a period not exceeding two months for the first offence, and for every subsequent offence with fine not exceeding two hundred (200) Rupees, commutable to ordinary imprisonment during a period not exceeding four months.

Punishment for breach of the above prohibition.

SECTION IV.—All sentences under this Regulation shall be immediately reported with an abstract of the proceedings, evidence and pleadings in each case to the Governor in Council, who reserves to himself the power of remitting the whole or any part of the punishment adjudged, but execution thereof is not in the interim to be delayed.

Trials to be reported to the Governor in Council who may remit punishment.

(Miscellaneous Branch.)

A. D. 1827. REGULATION XXV.

A REGULATION *for confinement of state prisoners and for the attachment of the lands of chieftains and others for reasons of state.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of two (2) Chapters, as below :

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Rules for the apprehension and confinement of individuals as state prisoners....*	I.
II.	*Rules for the attachment of lands for reasons of state and for removing such attachment..... .....*	VII.

(Miscellaneous Branch.)

REGULATION XXV. A. D. 1827.

A REGULATION *for the confinement of state prisoners and for the attachment of the lands of Chieftains and others for reasons of state.*—PASSED *by the Governor in Council on the* 1*st January* 1827, *corresponding with the* 4*th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2*d Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS reasons of state, embracing the due maintenance of the alliances formed by the British Government with foreign powers, the preservation of tranquillity in the territories of native Princes entitled to its protection, and the security of the British dominions from foreign hostility and from internal commotion, occasionally render it necessary to place under personal restraint individuals, against whom there may not be sufficient ground to institute any judicial proceedings, or when such proceedings may not be adapted to the nature of the case, or may for other reasons be unadvisable or improper; and whereas it is fit that in every case of the nature herein referred to, the measures adopted should emanate immediately from the Governor in Council, and whereas the reasons above declared sometimes render it necessary that the estates and lands of Zemindars, Talookdars and others situated within the zillas subordinate to Bombay, should be attached and placed under the temporary management of the revenue authorities, without having recourse to any judicial proceeding; the following rules have therefore been enacted to have effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER

REGULATION XXV. A. D. 1827.

CHAPTER I.

RULES FOR THE APPREHENSION AND CONFINEMENT OF INDIVIDUALS AS STATE PRISONERS.

Mode of proceeding for placing individuals under restraint as state prisoners.

SECTION I.—*Clause 1st.*—When any of the considerations stated in the preamble of this Regulation may seem to the Governor in Council to require that an individual should be placed under restraint, without any immediate view to ulterior proceedings of a judicial nature, it shall be lawful for the Governor in Concil, provided always that, with reference to the individual the measure shall not be in breach of British law, to cause such individual to be apprehended in such manner as the Governor in Council may deem fit, and when apprehended to be delivered over to any officer in whose custody it may be deemed expedient that he shall be placed, with a warrant of commitment to such officer's address.

Form of the warrant and authority which it confers. Appendix A.

Clause 2d.—The warrant of commitment shall be in the form specified in Appendix A, and shall be sufficient authority for the detention of any state prisoner in any fortress, jail or other place within the zillas subordinate to Bombay.

Rules for the maintenance of the state prisoner.

SECTION II.—The Governor in Council shall fix such allowance for the support of the state prisoner as may seem to him expedient in reference to the prisoner's habits and rank in society, and shall specify at the same time through whose means it is to be paid and how it is to be applied.

Half yearly statements to be forwarded by the officer in charge of the prisoner.

SECTION III.—Every officer in whose custody any state prisoner may be placed, shall on the 1st of January and 1st of July of each year, submit a report to the Governor in Council, through the Secretary to Government in the Political Department, on the conduct, the health, and the comfort of such state prisoner, in order that the Governor in Council may determine whether the orders for his detention shall continue in force or shall be modified.

SECTION

A. D. 1827. REGULATION XXV.

SECTION IV.—*Clause* 1*st.*—When any state prisoner is in the custody of a Magistrate, the Judge on Circuit shall visit such state prisoner, on the occasion of the periodical sessions, and shall have authority to issue any orders concerning the treatment of the state prisoner, which may appear to him advisable; but if any such orders should appear to the officer in charge of the prisoner to be inconsistent with the directions of the Governor in Council issued on that head, or with the safe custody of the prisoner, it shall be competent to him to suspend compliance, until he shall have referred the case to the Governor in Council and received his final instructions.

If the officer be a Magistrate the Judge on circuit may give directions regarding the prisoner, but their execution may be suspended by the Magistrate at his discretion.

Clause 2*d.*—When any state prisoner is placed in the custody of any public officer not being a Magistrate, the Governor in Council shall instruct either the Magistrate, or the Judge on Circuit or any other public officer, not being the person in whose custody the prisoner may be placed, to visit such prisoner at stated periods, and to submit a report to Government, regarding the health and treatment of such prisoner.

If the officer be not a Magistrate a special arrangement will be made to ensure periodical visits to the prisoner, and reports upon his health and treatment.

SECTION V.—*Clause* 1*st.*—Every officer in whose custody any state prisoner may be placed, shall, as soon after taking such prisoner into his custody as may be practicable, report to the Governor in Council whether the degree of confinement to which he may be subjected, appears liable to injure his health, and whether the allowance fixed for his support be adequate to the supply of his own wants and those of his family, according to their rank in life.

The officer in charge shall also report particulars relative to the health and comfort of the prisoner,

Clause 2*d.*—The officer in whose custody any state prisoner may be placed, is to forward with such observations as may appear necessary, every representation which such state prisoner may from time to time be desirous of submitting to the Governer in Council.

and shall always forward the prisoner's representations with remarks.

REGULATION XXV. A. D. 1827.

The rules regarding state prisoners are applicable to all persons now confined as such.

SECTION VI.—The provisions contained in sections II, III, IV and V of this Regulation are hereby declared to be applicable to all persons who are now confined as state prisoners under the authority of Government within the zillas subordinate to Bombay.

CHAPTER II.

RULES FOR THE ATTACHMENT OF LANDS FOR REASONS OF STATE AND FOR REMOVING SUCH ATTACHMENT.

Circumstances under which the lands of Zemindars and others may be attached by Government and mode in which the attachment will be promulgated.

SECTION VII.—Whenever the Governor in Council, for reasons of the nature of those specified in the preamble to this Regulation shall judge it necessary to attach the estates or lands of any Zemindar, Jageerdar, Talookdar or other person without any previous decision of a Court of justice, or other judicial proceeding, the grounds on which the resolution of Government may have been adopted, and such other information connected with the case as may appear essential, shall be communicated, under the hand of one of the Secretaries to Government, to the Judge and the Magistrate or other civil authorities of the district in which the lands or estates may be situated, and to the Suddur Adawlut.

Lands under attachment how to be managed by the Collector.

SECTION VIII.—*Clause 1st.*—The lands or estates which may be temporarily attached shall be held under the management of the officers of Government in the revenue department, and the collections shall be made and adjusted on the same principles, if consistent with the rights of others, as had been followed by the proprietor, provided however that any change may be introduced which the proprietor may desire, and which may not infringe on private rights nor appear objectionable to the Collector, and annual accounts of the management of the lands attached shall be furnished to the proprietor.

and how incapable of be-

Clause 2d.—Such lands or estates while so under attachment

shall

shall not be liable to be sold by process of law, or otherwise, without the mutual consent of Government and the proprietor, but the annual income or any portion of it may, if Government shall so direct, be applicable to the satisfaction of decrees of the Civil Court.

ing sold—the proprietor's income how liable for debts.

SECTION IX.—Whenever the Governor in Council shall be of opinion, that the circumstances which rendered the attachment of such estate necessary, have ceased to operate, and that the management of the estate can be committed to the hands of the proprietor without public hazard or inconvenience, the revenue authorities will be directed to release the estate from attachment, to adjust the accounts of the collections, during the period in which they may have been superintended by the officers of Government, and to pay over to the proprietor the profits from the estates, which may have accumulated during the attachment.

Attachment under what circumstances and how to be withdrawn and accounts of collections and profits how adjusted.

APPENDIX A.

To the (here insert the Officer's designation.)

Whereas the Governor in Council for good and sufficient reasons, has resolved that (here insert the state prisoner's name) shall be placed under personal restraint at (here insert the name of the place) you are hereby ordered in pursuance of that resolution to receive the person above named into your custody, and to deal with him in conformity to the orders of the Governor in Council, and the provisions of Regulation XXV A. D. 1827.

By order of the Governor in Council,
(Signed) A. B.
Secretary to Government.

BOMBAY CASTLE,
day of 18

(Miscellaneous Branch.)

A. D. 1827. REGULATION XXVI.

A REGULATION *for the appointment and removal of Kazees, and for ensuring an efficient and regular discharge of their duties.*—PASSED *by the Governor in Council on the* 1st *January* 1827, *corresponding with the* 4th *Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and* 2d *Jummadyool Akhir* 1242 *of the Hijree.*

Consisting of two (2) Chapters, as below :

NUMBER OF CHAPTER.	TITLE.	COMMENCING SECTION
I.	*Of the appointment, suspension, and removal of Kazees*.....	I.
II.	*Of the duties and emoluments of Kazees*.....	V.

(Miscellaneous Branch.)

REGULATION XXVI. A. D. 1827.

A REGULATION *for the appointment and removal of Kazees, and for ensuring an efficient and regular discharge of their duties.*—PASSED *by the Governor in Council on the 1st January, 1827, corresponding with the 4th Poush Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1748, *and 2d Jummadyool Akhir* 1242 *of the Hijree.*

Preamble.

WHEREAS in certain of the towns and pergunnas subordinate to the Presidency of Bombay the office of Kazee exists, and is necessary for the purpose of authenticating and recording marriages, attesting divorces, and assisting in various other religious rites and ceremonies amongst Mahomedans; and whereas the important uses of the office, more especially in furnishing the means of settling questions of inheritance and succession between Mahomedans, require that rules, as well for the appointment and removal of Kazees, as for ensuring an efficient and regular discharge of the functions of their office, should be established and promulgated, the following Rules are accordingly enacted to have effect from such date as shall be prescribed in a Regulation to be hereafter passed for that purpose.

CHAPTER I.

OF THE APPOINTMENT, SUSPENSION, AND REMOVAL OF KAZEES,

Appointment of a Kazee.

SECTION I.—*Clause 1st.*—The Governor in Council may appoint Kazees in such towns or pergunnas as appear to require them, who shall hold their offices during good behaviour.

Clause

REGULATION XXVI. A. D. 1827.

his sunnud,

Clause 2d—Each Kazee shall receive a sunnud of appointment from the Governor in Council in the form contained in Appendix A.

and seal.

Clause 3d.—And he shall use a seal not exceeding one inch in length or breadth, on which shall be inscribed in the Persian language, and also in such other language as may be in general use in the district over which his duties extend, the following words, viz. " Seal of ————, Kazee of the town " (or pergunna, as the case may be) of ———— ;" with the year of the Hijree in which such Kazee was appointed.

Suspension caused by commitment for a serious offence,

SECTION II—*Clause 1st.*—If the Kazee is committed to take his trial for any offence of a highly penal or disgraceful nature, he shall by such commitment be suspended from the exercise of his functions as Kazee, and if convicted shall by such conviction be dismissed from his office, and in either case, an immediate report shall be made by the Judge of the zilla in which he officiates to the Governor in Council.

and dismissal by conviction, being reported to Govt.

Misconduct of the Kazee to be reported by the Judge to Govt.

Clause 2d.—If the Zilla Judge whether from his own observation or from the complaint of others shall have strong reason to believe that a Kazee is rendered unfit to hold his office, either by gross negligence or misconduct in the discharge of his public duty, or by acts of profligacy in his private conduct, be shall report the circumstance to the Governor in Council.

which may order an investigation.

Clause 3d.—The Governor in Council, if he sees cause, may appoint the Judge on Circuit, or any other person a Commissioner with authority to call the Kazee before him and investigate the facts, and the Commissioner, after such investigation, shall report his proceedings and opinion on the case.

Vacancies to be reported to Government, which will supply them,

SECTION III—*Clause 1st.*—When a Kazee is suspended from the exercise of his functions, or when a vacancy occurs in the office

office of Kazee from death, resignation, or dismissal, the Judge of the Zilla in which he officiates shall recommend to the Governor in Council a person duly qualified to supply such vacancy, either temporarily or permanently as the case may require, and the Governor in Council may either confirm such recommendation, or appoint another person as to him may seem fit.

unless the measure is unnecessary.

Clause 2d.—But the Governor in Council need not supply such vacancy, if local circumstances appear to render the office no longer necessary.

Kazees now officiating are duly appointed.

SECTION IV.—Such Kazees as may on this Regulation taking effect be acting under competent authority are to be considered to be duly appointed, in the same manner as if they had been appointed according to the provisions of Section I of this Regulation.

CHAPTER II.

OF THE DUTIES AND EMOLUMENTS OF KAZEES.

Kazees may appoint and remove Naibs who act under the same control.

SECTION V.—Kazees shall be at liberty to appoint Naibs to assist them in their functions, and to remove them at pleasure, and the said Naibs shall also be liable to removal or suspension by the same authority and by the same process as Kazees are subjected to in Section II of this Regulation.

Duties of the Kazee.

SECTION VI.—The duties of the Kazee shall comprise the attending, presiding at or performing such ceremonies or forms relating to marriage and divorce, and to doctrinal or religious rites, as may be inculcated by the Mahomedan law.

his fees, how sanctioned and promulgated.

SECTION VII.—Kazees shall be entitled to receive such fees for performance of official acts as the Judge of the zilla with the sanction of the Suddur Adawlut may determine: And a table of these fees be shall constantly fixed up in the Zilla Court,

and

and in a conspicuous part of the building where the Kazee holds his office.

The Kazee must record under penalty marriage, contracts and acts of divorce in a book,

SECTION VIII—*Clause 1st*—Each Kazee shall keep a book, in which he shall enter all contracts of marriage and acts of divorce lawfully acknowledged before him or his Naibs, whether in writing or verbally; and he shall be liable to a penalty, not exceeding one hundred (100) Rupees, to be imposed by the Judge of the zilla, for every such marriage-contract and act of divorce not so entered.

to be deposited in the Adawlut when he ceases to be Kazee.

Clause 2d.—On the death, or dismissal of a Kazee, the said book shall be delivered by him or his heirs to the Superintendent of the Register of the zilla, for the purpose of being deposited with the General Register.

APPENDIX A.

FORM of SUNNUD to be granted to a Kazee.

To

A. B. Inhabitant of ——— (L. S.)

In conformity with the provisions of Regulation XXVI A. D. 1827, you A. B. are hereby appointed to the office of Kazee in the ——— of ——— You will not be liable to be removed from your situation, while you discharge your duty with zeal and integrity under the rules contained in the Regulations which now are or hereafter may be in force.

By Order of the Governor in Council,

Signed, C. D.

Secretary to Government in the Judicial Department.

BOMBAY CASTLE,

day of 18

A. D. 1827. REGULATION XXVII.

A REGULATION *for abolishing the Zilla Court of Broach, and for attaching the districts composing the Broach Zilla to the Zillas of Surat and Kaira.*—PASSED *by the Governor in Council on the* 16*th May* 1827, *corresponding with the* 6*th of Vaisack Vud Sumbut or Vikramajeet Era* 1883; *Salbahan* 1749; *and the* 19*th Shaval* 1242 *of the Hijree.*

Preamble.

WHEREAS it has been deemed expedient to substitute for the existing arrangement a plan by which the Zilla Court of Broach may be dispensed with, the territories subject to its jurisdiction being partitioned between the Zillas of Surat and Kaira, the following rules have therefore been enacted, to have effect from the date of promulgation.

Rescission of enactments constituting the Broach Zilla, which is abolished.

II.—*First.*—Such parts of Section II Reg. II of 1805, Section III Reg. VI of 1817, and of any other enactments as provide for the appointment of a Judge of Broach and the formation of the Broach Zilla, are hereby rescinded, and the Broach Zilla is hereby abolished.

The Northern Division annexed to Kaira, and the rest to Surat.

Second.—Of the territories which composed the Broach Zilla, the town of Broach, the river Nurbudda and the Islands therein, and the districts to the North of the river, are annexed to the Zilla of Kaira, and the remaining districts are annexed

to

to the Zilla of Surat; the administration of civil and criminal justice, and all matters connected therewith, except as otherwise specifically provided for in this Regulation, being conducted according to the general Regulations.

A Register on the Kaira Establishment with Assistants and officers as required to remain at Broach.

III.—*First.*—There shall be a Register and Assistant Criminal Judge of Broach, with such subordinate Assistants as Government may sanction: they shall be borne upon the establishment of the Kaira Court.

Ameens.

Second.—Such number of Ameens, and such establishment as may be found necessary, shall be placed at the disposal of the Register and Assistant Criminal Judge of Broach, by the Judges of Surat and Kaira respectively, according to the jurisdiction concerned.

The Register has charge of the Judicial buildings and records, which latter are however at the disposal of the Judges of Kaira and Surat.

IV.—*First.*—The Register and Assistant Criminal Judge shall have charge of the judicial buildings of the late Broach Zilla, and also of the civil and criminal records, but he shall furnish from time to time, as may be required, original or transcribed extracts from those records to the Judges and Criminal Judges of Surat and Kaira, and he will also in civil matters generally be subordinate to the said Judges in common according as the territorial jurisdiction of either Court applies.

He files suits not exceeding Rupees 1000,

Second.—The Register shall file all suits for sums not exceeding rupees (1000) one thousand belonging to the districts which composed the Broach Zilla: suits for a higher amount shall be preferred respectively in the Courts of Surat and Kaira, and any such suits remaining undecided on the file of the Broach Adawlut will in like manner be transferred to the said Courts.

and tries them; he may refer to his Assistant suits

Third.—The Register may, as authorized respectively by the Judges of Surat and Kaira, try all suits filed by him, and if he

have

have one or more Assistants, suits not exceeding in amount rupees (500) five hundred may be referred by him, as in like manner authorized, to any such Assistant; and suits not exceeding in amount rupees (100) one hundred to Ameens.

not exceeding Rupees 500, and to Ameens suits not exceeding Rupees 100.

V.—The Police of the Broach Collectorship (exclusive of the Suddur station) consisting of the districts which composed the Broach Zilla, continues in the hands of the Collector as Magistrate, who will conduct the duties of the department as heretofore, except that he will forward cases beyond his cognizance to the Criminal Judge of Surat, or Kaira, according to the jurisdiction.

The Collector remains as Magistrate forwarding cases to Kaira and Surat.

VI.—The Assistant Criminal Judges of Broach will exercise Police Jurisdiction at the Suddur station of the Broach Collectorship, and cases beyond the jurisdiction of the First Assistant will be forwarded to the Criminal Judge of Kaira.

The Assistant Criminal Judges of Broach have Police jurisdiction at Broach and serious cases are forwarded to Kaira.

VII.—The Register and Assistant Criminal Judge of Broach, will make such returns in the native language in the Civil Department to the Judge of Surat, and in the Civil and Criminal Departments to the Judge and Criminal Judge of Kaira, as those officers may require, under the sanction of the Suddur Adawlut: he shall also, in other respects, execute all orders of those officers according to the Regulations.

Returns in the Native language to be made by the Register and Assistant Criminal Judge as required.

VIII.—The Judge on Circuit shall visit Broach for the purpose of exercising there the same powers of supervision and inspection as elsewhere.

The Judge on Circuit visits Broach for inspection and supervision.

REGULATION XXVIII. A. D. 1827.

A REGULATION *for fixing the date from whence certain Regulations passed on the 1st January 1827, are to take effect.*—PASSED *by the Governor in Council at Bombay on the 1st August 1827, corresponding with the 9th Shravun Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1749, *and 7th Mohurrum* 1243 *of the Hijree.*

Preamble.

WHEREAS on the 1st January 1827, twenty six (26) Regulations were passed, the several preambles to which provided that the said Regulations should take effect from "such "date as shall be prescribed in a Regulation to be hereafter "passed for that purpose," the following rules are therefore enacted to fulfil the object therein contemplated.

The Regulations of 1827, in force from the 1st September 1827 except such as relate to Stamps,

II.—*First.*—The Regulations numbered from I to XXVI of 1827, in so far as not affected by Regulation XXVII of 1827, shall, with the exception of Regulation XVIII, and of any rules in the said Regulations which relate to Stamps, and with the exception also of any rescission of the rules heretofore existing on the subject of Stamps, take effect from the 1st September 1827 through the Bombay territories heretofore subject to the Regulations.

which will take effect on the 1st November 1827.

Second.—Regulation XVIII of 1827, and all other rules regarding Stamps in the Regulations of 1827 shall take effect from the 1st November 1827, when Regulation XIV of 1815, and any other Rules heretofore existing on the subject of Stamps will stand rescinded.

REGULATION XXIX. A. D. 1827.

A REGULATION *for bringing under the operation of the Regulations the Bombay territories in the Dekkan and Khandesh.*—PASSED *by the Governor in Council at Bombay on the 1st August 1827, corresponding with the 9th Shravun Sood Sumbut or Vikramajeet Era 1883, Salbahan 1749, Fusly 1237, Soorsun 1228, and 7th Mohurrum 1243 of the Hijree.*

Preamble.

WHEREAS, subsequently to the conquest by the Company of the territories of the late Paishwa in the Dekkan and Khandesh, and the acquisition from other states by treaties and agreements of other territories within the said countries, the governments of all the said territories has, with the view of avoiding the abrupt introduction of extensive change, been conducted under the orders of the Governor in Council, constituting a system which was calculated gradually to prepare the way for the introduction of the general rules of the British administration; and whereas the Regulations for the administration of the Bombay territories have in the meantime been revised, and it has now been judged expedient to bring the territories in the Dekkan and Khandesh under the revised Regulations, being the first twenty six (26) Regulations of 1827, with certain modifications, the following rules have been enacted to have effect from the 1st September 1827.

The revised regulations and

II.—*First.*—The first twenty six (26) Regulations of 1827,

others subsequently passed made applicable to the Dekkan and Khandesh,

with the exception of Regulation XVIII and of any enactments relating to stamps, shall from the 1st September 1827 be of force and effect, except as specifically enacted to the contrary, throughout the Bombay territories in the Dekkan and Khandesh, consisting of the Zillas of Poona and Ahmednuggur, as described in Appendix A to this Regulation; and the said territories are hereby further brought under the operation of the Regulations, according as they may apply, to be passed from and after the 1st September 1827, for the Government of the territories subordinate to the Presidency of Bombay.

with the exception of stamp enactments, in lieu of which certain fees are levied.

Second.—With reference to the Zillas of Poona and Ahmednuggur, it is hereby enacted that the fees on law proceedings hitherto levied in lieu of stamp duties shall continue to be charged, until the provisions of Regulation XVIII of 1827 can be brought into operation.

Courts of Civil Justice are not to entertain suits against certain persons of rank;

III.—*First.*—With reference to the said Zillas it is hereby enacted, that, in modification of the rules contained in Regulation II A. D. 1827 Sections XXI and XXXVII Clause 1st, suits against certain persons of rank, as hereinafter specified, shall not come under the jurisdiction of the Civil Courts:

of whom a list will be furnished to the Judge.

Second.—A list of the said persons of rank will be furnished by Government to the Judge, who will on application communicate the same to any person, who as plaintiff or defendant may shew that his interest requires his being supplied with that information.

Suits against such persons will be tried by an officer appointed for the purpose, who will have a list of them and corresponding instructions, and

IV.—*First.*—An Agent of Government shall be specially appointed for the purpose of receiving, and trying and deciding all complaints of a civil nature, which would under the ordinary rules be cognizable by either of the Judges of Poona and Ahmednuggur, against any of the persons contemplated in the preceding

Section: he shall be furnished with a list of the said persons of rank, and with instructions descriptive of the respective rules of procedure to be followed in the case of each such person, and he shall communicate to any individual making application so much of the abovementioned information as such individual may shew to be important to his own interest:

will afford information to those concerned.

Second.—The list abovementioned shall comprise three (3) classes of persons of rank, and the instructions abovementioned shall provide three (3) several modes of procedure, applicable respectively to each class of the said persons of rank.

The list an instructions will comprise persons of three classes.

V.—*First.*—Suits against the persons belonging to the first of the classes comprised in the Agent's list, being individuals of the very first distinction and influence under the Paishwa's Government, on account of their birth, their political importance, or the religious estimation in which they were held, shall be conducted and decided by the Agent, reference being had in the most ample degree to the privileges of the defendant by former usage and custom enjoyed, and to other peculiar characteristics of the case conformable to like usage and custom; and no decree against any such defendant shall be enforced, until the suit and all proceedings thereon have been referred to the Governor in Council, (to whom also the plaintiff may appeal) who, as a special Superior Court for the adjustment of such suits, will pass such order thereon as he may deem just and equitable, an appeal to the King in Council being open to either party:

The first class persons of the highest importance, on whom decrees cannot be executed without reference to Government, and an appeal from Government will lie to the King in Council;

Second.—Suits against the persons belonging to the second of the classes comprised in the Agent's list, being individuals not equal in consideration to those above adverted to, but of high rank and importance under the Paishwa's Government,

the second class persons next in importance whose suits may be appealed to Government, and from Government to the King in Council.

shall be conducted and tried by the Agent, reference being had in a great degree, and in conformity to former usage and custom, to the rank of the defendant, his situation and privileges, under the Paishwa's Government, as affecting his creditor's means of compelling payment during that period, his present means of discharging the debt, and other points material to the real equity of the plaintiff's claim, and the defendant's liability: an appeal against the Agent's decision to the Superior Court of the Governor in Council as above constituted, shall be open to either party: the petition of appeal shall be presented either to the Agent, or to Government, within ninety (90) days (which period may be extended for good reasons) after the Agent's decision was passed; the rules for trial and decision of such appeal shall be the same as those prescribed for the original trial of the suit, and a final appeal to the King in Council shall be open to either party:

The third class persons of less importance than the foregoing, whose suits may be appealed to the Suddur Adawlut and from that Court to the King in Council.

Third.—Suits against the persons belonging to the third of the classes comprised in the Agent's list, being individuals inferior in rank to those of the classes previously described, but still equitably entitled, on account of the privileges hitherto enjoyed by them, to a certain special degree of consideration, shall be conducted and tried by the Agent, in like conformity to usage and custom, with some relaxation of the rules of the General Regulations, and some portion of attention to the points above specified for regulating his decisions in suits against individuals of the two Superior Classes: an appeal to the Suddur Dewannee Adawlut, against the Agent's decision, shall be open to either party; the petition of appeal shall be presented either to the Agent or to the Suddur Dewannee Adawlut, within ninety (90) days (which period may be extended for good reasons) after the Agent's decision was passed, the rules for trial and decision of such appeal shall be the same as those prescribed for the original trial of the suit, with which view the instructions

of the Agent, with regard to the defendant, shall be communicated by Government to the Suddur Dewannee Adawlut; and a final appeal to the King in Council shall be open to either party, under the rules contained in the General Regulations, with reference to such appeals from the decrees of the Suddur Dewannee Adawlut.

The Civil Courts in the Dekkan have no jurisdiction,

V.—With reference to the said Zillas it is likewise enacted, in further modification of Section XXI Regulation II of 1827, and in modification of Section VI Regulation XVI of 182 , and Sections IX, XVI, XXXIV and XLIX of Regulation XVII of 1827, that suits on the following subjects shall not be cognizable by the Civil Courts:

in cases of damages for oppression under the former Government:

1*st.*—All claims for damages against persons in authority under the late Government, for abuse of power during that period:

in claims against Government on account of enams:

2*d.*—All claims against Government on account of Enams:

jagheers, Wurshasuns, and other advantages not hereditary:

3*d.*—All claims against Government on account of Jagheers, Wurshasuns, Pensions, Neemnooks and other advantages not hereditary:

in disputes regarding revenue, or alleged exactions:

4*th.*—All disputes regarding public rent or revenue payable to Government, and all complaints of exaction by Mamlutdars, or district or village officers:

or in disputes regarding village debts, boundaries, &c.

5*th.*—All claims on account of village debts, all village boundary disputes, and disputes regarding the use of wells and water-courses.

Pleaders may be ad-

VI.—*First.*—With reference to the said Zillas, it is further

mitted to practice by a Committee presided over by the Judge.

hereby enacted that, in modification of the rules contained in Regulation II A. D. 1827 Section XLVIII, the Judge of the Zilla shall be equally empowered with a Judge of the Suddur Adawlut to preside in a committee to examine pleaders and to grant certificates of qualification for practice in his Court: that, in modification of the rules contained in Regulation II of 1827 Section XXVIII Clauses 5th and 6th, the Judge may refer to his Senior Assistant suits not exceeding in amount Rupees ten thousand (10,000,) and to his Junior Assistant suits not exceeding in amount Rupees five thousand (5,000) and that, under the circumstances stated in Clause 6th Section XXVIII Regulation II A. D. 1827, the Governor in Council may authorize suits not exceeding in amount Rupees twenty thousand (20,000), as well as the appeals from the decisions of a Junior Assistant, as therein specified, to be referred to a Senior Assistant:

Senior Assistants may try suits extending to Rupees 10,000 and Junior Assistants Rupees 5000;

and in certain cases a Senior Assistant may be empowered to try suits of Rupees 20,000 and appeals from Junior Assistants;

Second.—That in modification of the rules contained in Clause 1st Section LXXII Regulation IV A. D. 1827, it shall at all times be competent to the Judge to refer to a Senior Assistant appeals from the decisions of Native Commissioners, and that, in modification of the provisions of Clause 3d of the said Section, the amount, (found as prescribed in the said clause) which shall confer a right to an appeal to the Suddur Adawlut from the decree of the Judge, reversing or modifying an original decree passed by a Senior Assistant, shall be Rupees one thousand (1000:)

and appeals from a native Commissioner may always be referred to a Senior Assistant.

A regular appeal will not lie from the decree of a Judge against a Senior Assistant's original decree unless the Judge's reversal or modification extends to Rs. 1000.

Enforcement of decrees must be thirty (30) days after the decision.

Third.—That, in modification of the 3d Clause of Section LXI Regulation IV of 1827, the decrees of the civil courts shall not be enforced for a period of thirty (30) days subsequently to their being passed.

REGULATION XXIX. A. D. 1827.

APPENDIX A.

(*See Section* II *Clause First.*)

Territorial description of the Zillas in the Dekkan and Khandesh established under the Presidency of Bombay: formed of conquests from the Paishwa (Proclamation of Occupation 11th February 1818) *and cessions from Holkar (treaty 6th January* 1818), *Sindia (treaty 6th February* 1820) *and the Nizam (treaty 12th December* 1822.)

ZILLA OF POONA.

The two (2) turufs Havelee-Poona and Kuryat-Mawul.

The fifteen (15) following villages of the turuf Kairoo Barra, viz.

1 Seurey,	9 Khetcowla,
2 Kondunpoor,	10 Koombosee,
3 Kullian,	11 Gavurdurrey,
4 Rahtowrey,	12 Gogulwara,
5 Ombrey,	13 Kaumthurree,
6 Arvee,	14 Khair Sewapoor,
7 Dewrey,	15 Kelwur.
8 Kamsey,	

The three (3) following villages of the turuf Moosa Khora viz.

1 Jamlee,	3 Sangroon.
2 Sonapoor,	

The three (3) following villages of the turuf Moota Khora, viz.

1 Ambegaum,	3 Ambee.
2 Bhowlee,	

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The two (2) following villages of the turuf Kanud Khora, viz.

1 Vinjer, | 2 Antrolee.

The village of Aptee, turuf Hirdus Mawul.

The eighteen (18) turufs Sandus, Pautus, Panbul, Mahaloonga, Owsirree, Khair, Chakun, Gora, Warra, Ambegaum, Juneer, Wotoor, Ala, Bela, Murkhora, Kokutneer, Minneer, and Naraingaum.

The ten (10) following villages of the turuf Kurda, viz.

1 Ambee,	6 Bhaugree,
2 Khamboree,	7 Aldurrey,
3 Burradee,	8 Lingdee,
4 Lowkee,	9 Ghasgaum,
5 Nandoor Kundoomal.	10 Peempulgaum Joga.

The three (3) turufs Undur Mawul, Nanee Mawul and Pour Khorey.

The thirty two (32) following villages of the turuf Powa Mawul, viz.

1 Kuroonj,	17 Shewnee,
2 Ambegaum,	18 Bower,
3 Poosanee,	19 Thoogaum,
4 Chandkher,	20 Purdowree,
5 Keeley,	21 Mahagaum,
6 Sheotee,	22 Koosgaum,
7 Sindgaum,	23 Yelsee,
8 Pawley,	24 Beburwohol,
9 Kurdey,	25 Reehey,
10 Sirowlee,	26 Pauchaney,
11 Ghewundee Alwun,	27 Bersee,
12 Aptee,	28 Budowlee.
13 Kauter Kurruk,	29 Arrey,
14 Mullowlee,	30 Oorsee,
15 Shewlee,	31 Gotowra,
16 Aridew,	32 Adaley Khoord.

The three (3) turufs Kurree-Puthar, Sassor and Soopa.

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So much of the two (2) turufs Neer Thurree and Seerwul as lies North of the Neera river.

The six (6) turufs Indapoor, Baramuttee, Mohol, Oondurtuppa to the West of the Seena river, Bhoosey and Teimboornee.

The four (4) following villages of the turuf Kurkumb, viz.

1 Goorsally,	3 Kuroley,
2 Badulkot,	4 Oojenee.

The two (2) following villages of the turuf Kathee, viz.

1 Sorstee | 2 Shunkurgaum.

The three (3) turufs Sholapoor, Ahirwaree and Mundroop.

The five (5) following villages denominated the Summut Phootgaum, viz.

1 Undal,	4 Darphul,
2 Mooranchee,	5 Mungrool.
3 Nerkher,	

The seven (7) turufs Indee, Taumba, Hiperga, Julwud-Kokutnoor, Almela, Burdool, and Ooklee.

The three (3) following villages of the turuf Havelee Beejapoor, viz.

1 Ookmunhal | 2 Kowlga | 3 Ahleabad.

The four (4) following villages of the turuf Hortee viz.

1 Ranjunhal,	3 Teelihal,
2 Minchunhal,	4 Kyatilkeery.

The Kusba of Sindghee.

The six (6) following villages of the turuf Honwar viz.

1 Jaleehal,	4 Arahullee,
2 Ramteerut,	5 Kulkowteghee,
3 Yeteenhal,	6 Ghonusghee.

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The (7) following villages of the turuf Atnee, viz.

1 Arulhuttee,	5 Bulgheree,
2 Ubeehal,	6 Sumbarga,
3 Tungurree,	7 Bemunhal.
4 Mungsoola,	

The two (2) following villages of the turuf Hulsinghee, viz.

1 Bhutgoonkee,	2 Goteehal.

The six (6) following villages viz.

1 Awurkor,	4 Teengnee Beedree,
2 Heeney Pursulghee,	5 Hongalhullee,
3 Soorpal,	6 Karjol.

The two (2) turufs Talicotta and Nalitwaur.

The kusba of Bhaghewaree and the two (2) villages of Musbinhal and Yerwaul.

The four (4) following villages in the turuf Mohumudpoor, viz.

1 Jynapoor,	3 Oopuldinnee,
2 Boodenee,	4 Goorodhal.

The village of Bhaganuggur turuf Sednak.

The seven (7) following villages of the turuf Chimulghee, viz.

1 Disalkop,	5 Ghurree,
2 Mijurkop,	6 Liklewaree,
3 Mookarteehal,	7 Maundghee.
4 Golsinghee,	

REGULATION XXIX. A. D. 1827.

ZILLA OF AHMEDNUGUR.

(Ahmednugur Collectorship.)

Barsee Panch Muhals.

The Paishwa's share of the purgunna Dokey.

The village of Wagholey in the Dharoor purgunna.

So much of the purgunna Havelee-Purinda as lies West of the Seena river, and the village of Sonaree to the East of the said river.

The two (2) purgunnas of Jamkhair and Wanghee.

The Paishwa's share of Praunt Kurrewureet and that part of the Nizam's share which lies West of the Seena river.

The Paishwa's share of the Ashtee purgunna and the turuf Manoor.

The two (2) turufs Nuggur Havelee and Ranjungaum.

The purgunna Parnair.

The nine (9) following villages in turuf Belhey viz.

1	Dowulgaum,	4	Babra,	7	Ookurgaum,
2	Orngaum,	5	Kolgaum,	8	Eesapoor,
3	Kurnjowna,	6	Seedoree,	9	Andulgaum.

The two (2) purgunnas of Kurdah and Neywassa, except the village of Julkey.

The two (2) turufs Ganjih-Bhoeera and Wawrud.

The purgunna Baragaum Nundoor.

REGULATION XXIX. A. D. 1827.

The Paishwa's share of the two (2) purgunnas Byzapoor and Gandapoor, together with the village of Taklee.

The purgunna Sungumnair together with the three (3) Kusbas of Rhateh, Phooltamba and Whawa.

The thirteen (13) purgunnas Dandurphul, Kotool, Ankola, Sinnur, Khoombaree, Patoda, Nassik, Trimbuk, Waghera, Wunnee, Deendoree, Shewgaum and Chandor.

(*Khandesh Collectorship*).

The thirteen (13) purgunnas Lulling, Songher, Nher, Amulner, Betawud, Dhangree, Gurondol, Jullod, Chundshuhr, Bhurgaum, Bhal, Ootran and Muswa.

The purgunna Pachora which belongs to Sindia but is governed by the British.

The turuf Lohara-Havelee which belongs to Sindia but is governed by the British.

The turuf Sangwee in the Lohara purgunna.

The five (5) purgunnas Sendoornee, Chaleesgaum, Rajdesh, Mahombaraee and Manikpoory.

The eighteen (18) following villages of the Kunnur purgunna, viz.

1 Rolter,	10 Kunedee,
2 Rohilla,	11 Julgaum,
3 Porkree,	12 Jamdee,
4 Mulligaum,	13 Toonvuney,
5 Champaneer,	14 Pullasgaum,
6 Heengunney,	15 Malpoor,
7 Nyadomgree,	16 Vetulpoor,
8 Sahkegaum,	17 Mukrundurpoor,
9 Kudrey,	18 Nursingpoor.

REGULATION XXIX. A. D. 1827.

The two (2) Kusbas of Ranjungaum and Jateygaum.

The twenty four (24) purgunnas Galna, Chikulwal, Tokrah, Jorgah, Lohonair, Wakaree, Sandus, Jayteypoor, Pissol, Tilwur, Koralee, Otoor, Pala, Hutghur, Kunnassee, Pimpla, Pimpulnair, Dhywul, Warsa, Bhamain, Nowapoor, Nundoorbar, Sooltanpoor and Kokurmoonda.

The three (3) Kusbas of Pankera, Oomurputta, and Chowpala.

The principality of Akranee.

The purgunna of Choprah which belongs to Sindia but is governed by the British.

The two (2) purgunnas of Thalner and Amba.

The Kusba of Sindwa.

The purgunna of Yawul which belongs to Sindia but is governed by the British.

The two (2) purgunnas of Arawud and Sowda.

The village of Changdeo.

The purgunna of Rawer including the turuf of Pal.

The four (4) purgunnas of Nusserabad, Jamnair, Bhoodwur and Bornar.

REGULATION XXX. A. D. 1827.

A REGULATION *enacting certain modifications of Regulations* XII, XIII, XIV *and* XV *of* 1827 *with reference to the Zillas of Poona and Ahmednuggur.*—PASSED *by the Governor in Council at Bombay on the* 1st *August* 1827, *corresponding with* 9th *Shravun Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1749, *Fusly* 1237, *Soorsun* 1228, *and* 7th *Mohurrum* 1243 *of the Hijree.*

Preamble.

WHEREAS it has been judged expedient that certain modifications should be made in Regulations XII, XIII, XIV and XV of 1827 with reference to the Zillas of Poona and Ahmednuggur, the following rules have been enacted to have effect from 1st September 1827.

The Collector in the Zillas of the Dekkan' and Khandesh is magistrate of the Suddur Station, as well as the rest of the Collectorship.

II.—*First.*—With reference to the zillas of Poona and Ahmednuggur, it is hereby enacted that in modification of the provisions of Regulation XII A. D. 1827 Sections I, II and III, the Collector shall have charge of the Police at the Suddur station, and that as the Zilla of Ahmednuggur comprises the two Collectorships of Ahmednuggur and Khandesh, each Collector, as Zilla Magistrate of his own Collectorship, shall also have charge of the Police at its Suddur station, and shall be stiled "Magistrate of the Dekkan (or Khandesh) division of the Zilla of "Ahmednuggur," his official seal being inscribed accordingly:

His penal jurisdiction.

Second.—That in modification of the provisions of Regula-

fine, imprisonment with labour for two years, flogging 30 stripes and personal restraint singly or combined:

tion XV of 1827 Section XV Clause 2d, and Regulation XII of 1827 Section XIII the penal jurisdiction of the Magistrate shall extend, under the former enactment to fine and imprisonment for two (2) years, and under the latter enactment to fine, ordinary imprisonment with hard labour for two (2) years, flogging not exceeding thirty (30) stripes, and personal restraint, any of which may be combined, and that it shall be a regular part of his permanent duties to commit offenders for trial at the sessions, as described in Regulation XII A. D. 1827 Section XIII Clause 3d.

he also always commits offenders for trial at the Sessions.

The Session Judge performs the functions of the Criminal Judge, Court of Circuit, and Special Court.

III.—*First.*—With reference to the two abovementioned zillas it is hereby enacted, in modification of the provisions of Regulation XIII A. D. 1827 Section XIII, that the functions of the Criminal Judge, the Court of Circuit, and the Special Court, as therein enacted, shall, subject to the modifications described in the succeeding provisions of this Regulation, be united in the person of the Judge, who shall, in the exercise of those functions, be denominated "Session Judge," the designations of his Assistants being also regulated accordingly.

His seal,

Second.—The seal of the Session Judge shall be two inches in diameter, and shall bear in the English and Mahratta languages and characters the following inscription, "*The Session Court of* ———." The penal jurisdiction of the Session Judge shall extend to the adjudging of capital punishment, provided however that any case, in which he shall pass sentence of capital punishment, or of imprisonment for a longer period than seven (7) years, shall be referred to the Suddur Foujdaree Adawlut for its final orders, in the mode described in Clause 2d of Section XIII Regulation XIII of 1827: the Assistants to the Session Judge shall not possess penal jurisdiction, but it shall be competent to the Governor in Council, during the absence of the Session Judge, to confer, in the mode prescribed by Clause 4th of the above quoted section, on the Assistant of highest rank on the spot, such

The Session Judge may pass sentence of capital punishment, but in such case or in a case of imprisonment for more than seven years, must refer to the Suddur Foujdaree Adawlut:

his assistants have no penal jurisdiction, but such as is thought fit may in his absence be conferred on an Assistant:

penal jurisdiction, not exceeding that of the Session Judge, as Government may deem expedient.

The Session Judge may try perjury alleged to have been committed before him, but before punishment the trial must be referred to the Suddur Foujdaree Adawlut.

IV.—With reference to the Zillas of Poona and Ahmednuggur it is hereby provided, in modification of the rule contained in Regulation XIV Section XVI Clause 3d, that the Session Judge may try perjuries charged to have been committed before himself, but that no sentence of punishment passed in such a case shall be enforced, except as confirmed by the Suddur Foujdaree Adawlut, to which Court the trial shall be referred in the mode prescribed for other trials requiring reference to the Suddur Foujdaree Adawlut.

The Session Judge's Court while at the Suddur station is constantly sitting:

V.—The Court of the Session Judge, when not occupied in the half yearly session hereinafter enacted, will sit constantly at the Suddur station for the trial of offenders.

it also holds half yearly sessions at Sholapore or Dhoolia,

VI.—The Session Judges of Poona and Ahmednuggur shall hold half yearly sessions at Sholapoor and Dhoolia, respectively, under the rules applicable to Courts of Circuit, the said sessions shall be held twice a year, and shall commence on the 1st November and 1st May, or as soon after as may be conveniently practicable. The Session Judges of Poona and Ahmednuggur shall each have an Assistant (or Assistants according to the established rules of subordination) stationed, respectively, at Sholapoor and Dhoolia, who shall (the one throughout such districts of the Poona Zilla as Government may direct, and the other throughout the territories composing the Khandesh Collectorship (as specified in Appendix A to Regulation XXIX of 1827) discharge "the duties of the Criminal "Judge connected with the Court of Circuit," as described in Chapter III Regulation XIII A. D. 1827; he shall also perform such duties as the Session Judge may enjoin in the preparation of cases, and in all other matters connected with his office.

where Assistants are stationed to perform the duties of "Criminal Judge "connected "with the "Court of "Circuit."

The Session Judge may give instructions to the magistrate relative to cases for the session:

and enquire into the cases of persons confined otherwise than on sentence, referring the cases if necessary to Government:

VII.—*First.*—In modification of the rules contained in Regulation XIII of 1827, Sections XVI, XVII, XIX, and XX, it is hereby enacted, that the authority of the Session Judge over the Zilla Magistrate shall extend only to giving instructions, with reference to the preparation of cases brought before him, to which the Magistrate will attend, and to inquiring into the cases of persons confined by the Magistrate otherwise than under sentence on conviction, when, if he should differ in opinion with the Magistrate, the question shall be referred to the Governor in Council, who will pass such orders thereon as he may deem expedient.

he may also receive complaints against the magistrate, and if necessary report to Government.

Second.—The Session Judge is further authorized to receive complaints against the Magistrate in matters of importance: he shall take the complainant's oath and examine him as to the truth of his statement, when, if there should be reason to believe that serious cause of complaint exists, he shall refer the matter to the Governor in Council, who will adopt such further proceeding as the case may seem to require.

The Suddur Foujdaree Adawlut shall pass final judgment in cases referred:

and may revise cases tried by the magistrate and Session Judge and annul or mitigate their sentences: or recommend the same to Government.

it shall receive and furnish reports and afford information as directed and required by Government.

VIII.—In modification of the rules contained in Regulation XIII of 1827 Chapter V the Suddur Foujdaree Adawlut's authority shall, with reference to the Magistrates and Session Judges of the Poona and Ahmednuggur Zillas, consist in the passing final judgment and orders in cases referred to it under Section II clause 1st, the calling for proceedings and documents in cases tried by the Magistrate or Session Judge, which those officers shall furnish whenever required, the annulling or mitigation of sentences passed by them, and the recommending to Government, whenever deemed expedient, the annulling or mitigation of sentences which the said Court cannot annul or alter; the Suddur Foujdaree Adawlut shall also receive such periodical returns as the Magistrates and Session Judges may be instructed by Government to furnish: it shall also be the duty of the

REGULATION XXX. A. D. 1827.

Suddur Foujdaree Adawlut to transmit to Government such reports and returns on Criminal Justice, as administered in the Zillas of Poona and Ahmednuggur, as Government may require, and generally to afford information and offer suggestions connected with that subject, and with the public welfare.

which is further vested with full power to grant indemnities, pardons and mitigations.

IX.—The Governor in Council reserves to himself full power to grant indemnities, pardons, and mitigations as authorized by the Regulations, in all cases in which he may deem it expedient.

REGULATION XXXI. A. D. 1827.

A REGULATION *to explain the principles on which the introduction of the revised Code of Regulations is to be effected*:—PASSED *by the Governor in Council at Bombay on the 1st August* 1827, *corresponding with the 9th Shravun Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1749, *Fusly* 1237, *Soorsun* 1228, *and 7th Mohurrum* 1243 *of the Hijree.*

Preamble.

WHEREAS it has been enacted by Regulations XXVIII XXIX and XXX of 1827, that the revised code of Regulations numbered from I to XXVI of 1827, with certain alterations, modifications and exceptions, is to commence operation on the 1st September 1827 throughout the Zillas subordinate to Bombay in Guzerat, the Konkans, the Dekkan, and Khandesh; and whereas it is necessary to declare the principles on which the commencement of the operation of the new Regulations is to be conducted, the following rules have therefore been enacted:

Public officers appointed and qualified to the 1st September to be held duly qualified.

II.—*First.*—All Public Functionaries, European and native, in the Judicial Department, inclusive of Superintendents of Military Bazars, and in the Revenue or Commercial Departments, filling offices and charged with duties to the 1st September 1827 under the Regulations, as regards the Presidency and the Zillas of Guzerat and the Konkans, and under the orders of Government, as regards the Dekkan and Khandesh, are hereby declared to be duly appointed and qualified to act under the new Regulations, in the same way as if they had been appointed and qualified under the Regulations of 1827.

But the designations Register and Assistant Register in the Zilla Courts are abolished.

Second.—But Registers and Assistant Registers of Zilla Courts will from the abovementioned date in supersession of their present designations be stiled in the Civil Department "Senior and Junior Assistant Judges" and in the Criminal Department in Guzerat and the Konkans, "Senior and Junior Assistant Criminal Judges;" and Moonsiffs in the Zillas of the Dekkan and Khandesh will also in supersession of their present designation be stiled "Commissioners."

Also that of moonsiffs.

Pleaders duly practising to the 1st September are held to be qualified.

Third.—All pleaders authorizedly practising in the several Courts to the 1st September 1827 are hereby declared to be duly qualified to act under the new Regulations, in the same way as if they had been duly appointed under Section XLVIII Regulation II or Section VI Regulation XXIX of 1827.

The limits of Suddur stations until marked according to the new Regulations to be taken as at present.

Fourth.—The limits of the Suddur stations of Zillas subject to the police jurisdiction of the Criminal Judges of Guzerat and the Konkans shall, until marked out as provided by Regulation XII of 1827 Section II clause 1st, be held to be as recognized to the 1st September 1827.

And marked cantonments deemed to have been laid down according to the new Regulations.

Fifth.—The limits of Military Cantonments, duly marked under the provisions of Regulation III of 1826, throughout the Zillas of Guzerat, the Konkans, the Dekkan, and Khandesh, shall be held to be the legal limits, in the same way as if they had been marked out under the provisions of Regulation XXII of 1827, Section XXI clause 1st.

Suits and cases in progress to be conducted according to the new Regulations but the Suddur Adawlut may direct otherwise for good reasons.

Sixth.—All Civil and Criminal proceedings in progress to the 1st September 1827 will continue before the authorities taking cognizance of them, and will be further conducted according to the rules contained in the Regulations of 1827, but the Suddur Adawlut shall have authority to direct this course to be deviated from, whenever the said Court shall consider it

to be attended with great inconvenience, or with injustice to any one; and it will be the duty of subordinate authorities to refer all doubtful cases of this nature to the Suddur Adawlut for its instructions.

(Revenue Branch.)

REGULATION XXXII. A. D. 1827.

(SUPPLEMENT 1ST TO REGULATION XIX OF 1827.)

A REGULATION *for increasing the taxes on carriages and horses at the Presidency, made with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the affairs of India, and* PASSED *by the Governor in Council at Bombay on the 3d September* 1827, *corresponding with the* 13*th Bhadrapud Sood Sumbut or Vikramajet Era* 1883, *Salbahan* 1749, *Fusly* 1237, *Soorsun* 1228, *and* 10*th Suffur* 1243 *of the Hijree.*

Preamble.

WHEREAS it has been deemed expedient that the taxes hitherto levied on carriages and horses at the Presidency should be increased, the following rules for that purpose have been enacted by the authority of the Governor in Council, with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the affairs of India, and shall have effect from the date of promulgation.

Former enactment rescinded.

SECTION I.—*Clause 1st.*—Clause 1st Section XXIV Regulation XIX A. D. 1827, is hereby rescinded.

Clause 2d.

REGULATION XXXII. A. D. 1827.

rates of assessment on carriages and draft cattle.

Clause 2d.—The taxes on carriages and horses used on the Island of Bombay shall in future be assessed and levied according to the following rates:

On every four wheel carriage, four (4) Rupees per month:

On every two wheel carriage on springs, three (3) Rupees per month:

On every two wheel carriage without springs, except such as are drawn by bullocks, two (2) Rupees per month:

On every two wheel carriage used for riding and drawn by bullocks, one Rupee and a half per month:

On every two wheel carriage used for carrying loads and drawn by bullocks if the wheel be of the breadth of two inches and a half, one quarter of a Rupee per month.

If the wheel be narrower than above specified, three quarters of a Rupee per month.

On every riding horse, one Rupee and a half per month.

(Revenue Branch.)

REGULATION XXXIII. A. D. 1827.

(SUPPLEMENT 1ST TO REGULATION XXI OF 1827.)

A REGULATION *for modifying the provisions in force regarding the duty levied, and drawback allowed on Tobacco imported into, or exported from the Presidency of Bombay, or the zillas subordinate thereto, and the amount of duty leviable on spirits manufactured or imported within the said Presidency or zillas, made with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the affairs of India, and* PASSED *by the Governor in Council at Bombay on the 3d September* 1827, *corresponding with the* 13*th Bhadrapud Sood Sumbut or Vikramajet Era* 1883, *Salbahan* 1749, *Fusly* 1237, *Soorsun* 1228, *and* 10*th Suffur* 1243 *of the Hijree.*

Preamble.

WHEREAS it has been deemed expedient to revise and modify the existing rules regarding the amount of duty levied and drawback allowed on Tobacco imported into or exported from the Presidency of Bombay or the zillas subordinate thereto, and regarding the duty leviable on spirits manufactured or imported within the said Presidency or zillas,

zillas, the following rules have therefore been enacted by the authority of the Governor in Council with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the affairs of India, and shall have effect from the date of promulgation.

The former rates of taxes on Tobacco abolished.

SECTION I.—*Clause 1st.*—The rates of duty hitherto leviable on Tobacco, both at Bombay and in the subordinate zillas, are hereby rescinded, and the following rules are enacted in substitution.

Tobacco to pay import duty at Bombay.

Clause 2d.—Tobacco imported into Bombay having paid the established customs of the port and been warehoused, shall on being delivered out for internal consumption or for exportation, be liable to a duty of Rupees (3) three per Bombay maund, and no drawback shall be allowed except on exportation to the United Kingdom.

and when removed Rupees (3) per Bombay maund, drawback on export to the United Kingdom.

Duties at subordinates to be regulated on similar principles.

Clause 3d.—The same duty of Rupees (3) three per Bombay maund, payable once, either on export or import, whichever may first take place, shall be levied on Tobacco at every port within the zillas subordinate to Bombay, in addition to the established customs at such port respectively.

and when paid at one port Tobacco may be imported free at another port.

Clause 4th.—Tobacco having once paid at any British port the full amount of duty and customs leviable under Clause 2d or 3d whichever may be applicable, shall be exempt from the payment of any additional duty at any other British port, either on import or export.

The rates of duty on spirits rescinded.

SECTION II.—*Clause 1st.*—The rates of duty hitherto leviable on spirits, both at Bombay and in the Zillas subordinate thereto, are hereby abolished, and the following rules are enacted in substitution.

Clause 2d.

Spirits pay as Government direct within 1 1 40 per gallon.

Clause 2d.—The duty on spirituous liquors manufactured at the Presidency of Bombay, according to the rules duly enacted on that subject, or in any of the Zillas subordinate thereto, according to the provisions of Chapter XI of Regulation XXI A. D. 1827 or imported at Bombay or (consistently with the provisions of Section LXV Clause 1st of Regulation XXI A. D. 1827) into any of the Zillas subordinate thereto, shall be regulated by the orders of Government for each place respectively, but shall in no case exceed one (1 1 40) Rupee one quarter and forty reas per gallon.

Importations of spirits from British ports to what duties subject.

Clause 3d.—Spirits having paid at any British port the duty leviable under Clause 2d of this Section, in addition to the established customs of such port, may be imported free of any additional duty into any other British port unless the duty paid under Clause 2d of this Section be lower than that established under the said Clause at the port of import, in which case the difference shall be paid.

(Revenue Branch.)

REGULATION XXXIV. A. D. 1827.

(SUPPLEMENT 1ST TO REGULATION XVII OF 1827.)

A REGULATION *for vesting the Nawab of Surat with more extensive powers in compelling payment of his dues from his tenants and cultivators.*—PASSED *by the Governor in Council at Bombay on the 24th September* 1827, *corresponding with the 3d Asvin Sood Sumbut or Vikramajeet Era* 1883, *Salbahan* 1749, *Fusly* 1237, *Soorsun* 1228, *and 2d Rubee ul avul* 1243 *of the Hijree.*

Preamble.

WHEREAS the authority secured to the Nawab of Surat by Regulation XVII of 1827 Section XXIX Clause 2d to confine his defaulting tenants and cultivators for a period not exceeding thirty (30) days, in order to enforce payment of his rent, appears inadequate to the object in view, the following rules are therefore enacted, to take effect from the date of promulgation.

The Nawab of Surat may imprison his defaulting tenants and cultivators until his demands are satisfied; and also attach and sell a defaulter's property within certain limitations.

SECTION I.—So much of Clause 2d Section XXIX Regulation XVII of 1827, as limits to thirty (30) days the period during which the Nawab of Surat may confine his defaulting tenants and cultivators is hereby rescinded, and the Nawab is hereby empowered to hold the said defaulters in confinement continuously, or at intervals, until his demands shall be satisfied; authority to attach and sell a defaulting tenant's property with the limitation prescribed in the concluding part of Clause 2d Section LXII Regulation IV of 1827 being likewise vested in His Excellency.

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		REG.		SECT.	CLAUSE.
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	who, if the petition is rejected, is entitled to a record of the reasons, ...	,,		LXXVI.	
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	what records are to be forwarded and what kept, ...	,,		LXXIX.	
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	Decrees appealed from, how to be disposed of in the interior, see "*Decree.*"				
	petitions of Appeal, how to be recorded,	,,		LXXXIII.	
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	if the party to such process is not found, the Zilla Judge shall issue a notice, after which the matter will proceed Exparte,	,,		,,	4
	if neither party appears at the time fixed for trial the suit will be struck off the file, but may be restored if the Appellant shews good cause within ten days, ...	,,		LXXXIX.	
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	but the Court may call for such, ...	,,		,,	2
	the Appeal may be remanded to the Court of original Jurisdiction for new judgment to be pronounced on new evidence,	,,		,,	
	or for particular points to be investigated and reported to the Court of Appeal,	,,		,,	
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	what results from the award being reversed,	,,		,,	3
	from the decision of a Commission for trying Village Boundary Disputes,				
	to be made to the Zilla Judge within ninety days, ...	X.	,,	XIV.	
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		REG.	SECT.	CLAUSE.
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	such Appeal subject to rules of Appeal from original Decrees of a Senior Assistant Judge, but only to be set aside for defect of Justice, not of form, ...	„	„	3 & 2
	from the Collector's decision of a claim to exemption from payment of Land Revenue, ...	„	XLIX. and L.	2
	from the decision of the Revenue Judge at Bombay to the Suddur Dewanny Udalut, and thence to the King in Council,	XIX. „	VIII.	
	from the decision of the Collector of Bombay or Justice of Peace these on account of the assessment on shops and stalls, and licenses to erect temporary sheds, to use Country Music, and to make public notices, ...	„	XV.	
	from the Assessment of Houses by the Assessor in Bombay to the Court of Petty Sessions, ...	„	XXI.	
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	of Commissioners for trying Civil Suits,	„	XXXVII. & XXXVIII.	
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	of a Commission for trying Village Boundary Disputes, ...	X. „	I. & II.	
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		REG.	SECT.	CLAUSE.
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	in what cases it may be performed without formal process, ...	„	„	3
	how to be conducted if the offender have left the Jurisdiction in which amenable,	„	„	
	if circumstances do not admit of drawing out a formal summons, a Letter to the Magistrate of the Zilla in which the offender is found, sufficient, ...	„	XV.	1
	if the offender be pursued beyond the Jurisdiction in which pursuit commenced, how the local authorities are to aid, ...	„	XXXI.	2
	Reward for, see "*Reward.*"			
	pardon to an Accomplice for accomplishing, see "*Pardon.*"			
	of a culprit by a District Police Officer, how conducted, ...	XII. „	XLI.	2
	and how by the Head of a Village, ...	„	L.	1
	when effected in the limits of a village different from that wherein pursuit commenced, the Prisoner to be conveyed to the District Officer of the Place where taken, ...	„	„	2
	of persons likely to commit Penal Acts,	„	„	
	by the Magistrate, ...	„	„	
	by the District Police Officer, ...	„	„	
	by the Head of a Village, ...	„	LIII.	1
	see "*Imprisonment.*"			
Arbitration	of Civil claims, ...	VII. „		
	what matters may be arbitrated and how the Arbitrators are to be elected,	„	I.	
	what effect is produced by Arbitration conducted otherwise than laid down in the Regulations, ...	„	I. & IX.	3, 2
	what persons are bound to act as Arbitrators, ...	„	II.	
	Arbitrators to be appointed by a deed of reference, its form and contents,	„	III.	2
	how to proceed, ...	„	IV.	1
	how to procure evidence, ...	„	„	2
	how to be assisted by Village Officers,	„	„	3
	default in attendance of a party is not to stay proceedings, ...	„	V.	
	the period originally fixed for making the award may be extended by the parties,	„	VI.	1
	otherwise an award not given within the period is not valid, ...	„	„	2
	how a Law Suit instituted during Arbitration is to be disposed of	„	VII.	
	form and contents of the award, ...	„	VIII.	1 & 2
	how to be recorded, ...	„	„	3
	copies to be given to the parties, ...	„	„	4
	notification of the filing of appealable awards, ...	„	„	5
	if final, executed,—as Decrees, ...	„	IX.	
	if not made under Regulation receivable as evidence only, ...	„	IX.	
	costs how determined, ...	„	„	1
	awards, in what cases appealable,	„	X.	1
	by what process, ...	„	„	2
	what results from the award being reversed,	„	„	3

		REG.		SECT.	CLAUSE.
Arbitration -	private Arbitration how to take effect in cases of a Commission being appointed to try Village Boundary Disputes,	X.	1827.	IV. and V.	2 1
Arms - - -	penalty for receiving, if furnished by Government to Troops, ...	XXII.	„	XIX.	
Arrears - -	of Land Revenue, how recoverable,	XVII.	„	XIII.	
Arrest -	see "*Imprisonment*," "*Apprehension*."				
	the Suddur Dewanny Udalut may issue process of Arrest at the Presidency,	II.	„	VII.	
	of a Defendant in a Civil Suit, ...	IV.	„	„	6 & 3
	of a contumacious witness, ...	„		XXXII.	5
	exemption from in any Civil proceeding of witnesses in attendance on Courts Martial, ...	XXII.	„	V.	3
	for debt, process of, within Military Cantonments, ...	„		XXXIV.	1
Arsenic - -	red, white, yellow, sale of, how restricted,	XIV. XXI.	„ „	XX. Chap. IX.	
Arson - -	see "*Fire*."				
Assault - -	of serious nature, how punishable,	XIV.	„	XXIX.	1
	and how of trivial nature, ...	„		„	2
	and how indirect modes of producing bodily injury, ...	„		„	3
	committed by a British born subject on a native, how cognizable, ...	XII.	„	XI.	
	how the Magistrate may interfere to prevent,	„		XVI.	
	and how the District Police Officer,	„		XLV.	4
	and how the Head of a Village, ...	„		LIII.	1
	trivial cases of, may, in certain cases, be punished by the Head of a Village,	„		XLIX.	1
	trivial, committed by certain persons within Military Cantonments, how punishable,	XXII.	„	XXVI.	
Assemblage -	of above twelve persons for riotous purposes punishable as rebellion, ...	XIV.	„	XIII.	
	for any unlawful purpose may be dispersed by the Magistrate, ...	XII.	„	XXIX.	
Assessment -	of Public Revenue, of such description as Government deems expedient, to be conducted by the Collector of Land Revenue, ...				
	usage to be followed when there is no Regulation for the case, ...	XVI.	„	II.	1
	under exactions punishable, ...	XVII.	„	Ch. III. & IV.	
	of land, to be settled in each Zilla by the Collector, ...	„		I.	1
	in what manner Heads of Villages are responsible, ...	„		„	2
	land in general to be subject to Assessment, the only exceptions being certain defined exemptions, ...	„		II.	1
	but these exemptions may be set aside in cases of urgency, ...	„		„	2
	who is to be considered the party to settlements of Assessment, ...	„		III.	
	when there is no individual right to constitute a limit to Assessment, it shall be at the discretion of the Collector under the control of Government, ...	„		IV.	1
	but individual rights are not to be infringed,	„		„	2
	except by virtue of statutary law,	„		„	3
	when the Assessment belonging of right to any particular land has become chargeable on other land held with it, it shall				

		REG.	SECT.	CLAUSE.
Assessment -	be laid on the land to which it rightly belongs, ...	XVII. 1827.	IV.	4
	an occupant may give up his land, giving notice thereof previous to the commencement of the year, ...	„	VI.	1
	land paying fixed Assessment shall not be alienable until the Collector has determined on a part of it to be responsible for the amount, ...	„	„	2
	individual rights to be employed as Agents in Assessment to be continued,	„	VIII.	1
	unless such Arrangement be found inefficient, ...	„	„	2
	Appeals from the Assessment fixed by the Collector may be made either to Government or the Zilla Civil Court, or both,	„	IX.	
	of loss occasioned by an occupant giving up his land without due notice to be made in the same way as of ordinary Land Revenue, ...	„	VI.	1
	claims of exemption from, mode of procedure in deciding on, ...	„	Chap. X.	
	of Houses, and of Carriages and Horses in Bombay, ...	XIX. „	„ III. & IV.	
Assistance	see "*Aid.*"			
Assessors	opinion of natives as, may be taken by Judges in Civil Suits, and in Criminal cases, ...	IV. „ XIII. „	XXIV. XXXVIII.	2 5
Assessor	of Houses in Bombay—to be appointed by the Governor in Council, and take the oath before the Senior Magistrate of Police, ...	XIX. „	XVIII. App. G.	1
	to assess all dwelling houses on the Islands of Bombay and Colaba, beyond the town limits, under what rules,	„	XVIII.	2
	buildings exempted from Assessment,	„	XIX.	1 & 2
	and an abatement to be made on account of periods during which the house may be unoccupied, ...	„	„	3
	to return an Annual New Assessment to the Collector of Bombay—notice of liberty to inspect the books, ...	„	XX. App. H.	
	Appeal to the Court of Petty Sessions,	„	XXI.	1
	of Carriages and Horses within the Island of Bombay—rules for the Assessment and Surcharge, ...	„	XXIV. XXV.	
	Appeal to the Court of Petty Sessions,	„	„	4
	duties of the Assessor of Carriages and Horses to be performed by the Engineer Officer attached to the Court of Petty Sessions—Quarterly Returns to be made to the Collector of Land Revenue in Bombay, ...	„	XXVI.	1
Assistant Magistrates	prohibited from money transactions with certain persons, ...	XXIII. „	I.	
	the Office to be held by the Assistants to the Collector of Land Revenue,	XII. „	III.	3
	abstract of their duties, ...			
	to qualify by oath, ...	„	„	5
	their Jurisdiction may be extended by Government, ...	„	XIII.	2 & 3

		REG.		SECT.	CLAUSE.
Assistant Register	to the Court of Suddur Dewanny Udalut, his Appointment and Oath, ...	II.	1827.	XI. and XXXIV.	1 & 6 1
	his duties, ...	„		„	6
	to keep the Court's Proceedings,	III.	„	VI.	
	prohibited from money transactions with certain persons, ...	XXIII.	„	I.	
	to perform his functions in the Suddur Foujdary Udalut, ...	XIII.	„	II.	2
	and qualify by oath, ...	„		III.	2
	to the Special Court, the Criminal Judges, Assistants to act as such, qualifying by oath, ...	„		IV.	3
	also to the Court of Circuit, ...	„		VI.	1
Assistant Judges	to be appointed to Zilla Courts, divided into two classes, denominated Senior and Junior, and to qualify by oath,	II.	„	XXVIII. and XXXIV.	1 1
	their stations, ...	„		„	2
	their duties, ...	„		„	2 to 6
	the amount of suits which they may try,	„		„	5
	the amount of suits which Senior Assistants may be specially empowered to try, as also Appeals, ...	„		„	6
	prohibited from money transactions with certain persons, ...	XXIII.	„	I.	
	to officiate as Assistants to the Criminal Judge, ...	XIII.	„	VIII.	1
	Senior, to Superintend the Registers of title deeds and general register—his duties in that capacity, ...	IX.	„	II. V. VIII.	1 — —
	Assistants to Recordkeepers of Zilla Courts, ...	II.	„	XXXII.	1
	Assistants to Recordkeepers of the Suddur Dewanny Udalut, ...				
	to officiate in the Suddur Foujdary Udalut, ...	XIII.	„	III.	2
Assistant	to the Collector of Land Revenue to officiate in the Magisterial Department,	XII.	„	III.	
	and if in charge of the Revenue Department to officiate as Magistrate,	„		IV.	
	so many as Government deems requisite to be appointed, ...				
	how denominated, ...	XVI.	„	V.	
	to qualify by oath, ...				
	to perform the duties assigned by the Collector, ...				
	subject to the Jurisdiction of the Zilla Civil Court, ...	„		VI.	1
	prohibited from employing Public Servants in private affairs, or vice versâ,	„		VII.	1
	and from holding a farm or being any how personally concerned in the Revenue,	„		„	2
	and from trading or purchasing goods for remittances, ...	„		„	3
	liable to suspension or dismissal by Government for breach of the said prohibitions, ...	„		„	4
	the Senior shall take charge of the Department if death or accident remove the Collector without provision having been made, ...	„		VIII.	3
	an Assistant in charge, but no other, may settle Assessment, ...	XVII.	„	IX.	4
	may enforce demands of farmers of reve-				

		REG.		SECT.	CLAUSE.
Assistant -	nue in case of unauthorized reaping or removal of crops, ...	XVII.	1827.	XXIII.	2
	may pass order on the disposal or appropriation of deposited crops by farmers,	„		„	3
	to the Collector of Bombay, ...	XIX.	„	I.	
		„		II, V, VII.	
	to the Collector of Sea Customs—oath of,	XX.	„	V.	
	deputed duties of	„		VI.	2
	amenable for official acts to the Zilla Court, ...	„		VII.	
	to the Criminal Judge, the Assistants to the Zilla Judge to officiate as such, qualifying by oath, ...	XIII.	„	VIII.	1
	how to act in the absence of the Criminal Judge, ...	„ and XII.	„	„ IV.	2
	Abstract of his duties in general,	„		XII.	3 & 4
	what extent of punishment a Senior Assistant may award, ...	„		XIII.	3
	and how this may be increased by Government, ...	„		„	4 & 5
	what extent of punishment a Junior Assistant may award, ...	„		„	6
	shall officiate as Register or Assistant Register in the Special Court, ...	XIII.	„	IV.	3
	also in the Court of Circuit, ...	„		VI.	1
	and as Assistant to the Criminal Judge in his police capacity, ...	XII.	„	II.	2
	prohibited from money transactions with certain persons, ...	XXIII.	„	I.	
Attachment -	of property in execution of a Decree,	IV.	„	LXII.	2
	of the property of an Officer on the Land Revenue Establishment for demands made by the Collector, ...	XVI.	„	XIV.	
	of the property of a Land Revenue Defaulter, ...	XVII.	„	XII.	6 to 10
				XIII.	
				XVII.	9
	do. on application of farmers of revenue,	„		XXVI.	1
	do. how terminable, ...	„		„	5
	of the property of an individual for reasons of state, ...	XXV.	„	VII.	
	to be communicated to the local authorities and Court of Suddur Udalut, ...	„		„	
	how such property is to be managed during the Attachment, ...	„		VIII.	1
	and is not capable of sale, ...	„		„	2
	when the property is released from Attachment the proceeds to be accounted for to the proprietor, ...	„		IX.	
	of the property of a fugitive offender, if the offence be atrocious and the usual process has failed to effect apprehension, the Magistrate shall apply for the sanction of the Suddur Foujdary Udalut,	XII.	„	XXXVIII.	1
	a proclamation how to be made and published requiring the party to give himself up within a certain period, ...	„		„	2
	in failure whereof the Magistrate shall seize the party's property and deliver it to the Collector, ...	„		„	3
	but the property shall be returned (with its proceeds) if the party give himself up within four months from its Attachment, otherwise Government will determine whether to continue the sequestration on political grounds, ...	„		„	4

		REG.		SECT.	CLAUSE.
Attachment -	the Court of Circuit or Suddur Foujdary Udalut may direct a Magistrate to proceed as above, ...	XII.	1827.	XXXVIII.	5
	of property of Defaulters in Land Revenue by Kamavisdars, ...	XVII.	„	XVII.	4
	of property of Defaulters in Farmed Revenues, ...		„	XXVI.	
	of land and property of Defaulters in the Land Revenue of Bombay, ...	XIX.	„	III. & IV.	
	of property, process of, within Military Cantonments, ...	XXII.	„	XXXIV.	1
Attempt - -	to commit a Criminal offence, how punishable, ...	XIV.	„	I.	2
	to alter or render nugatory the law, how punishable, ...		„	XIV.	
	to commit robbery, how defined,		„	XXXVIII	
Attestation -	by two creditable persons of confessions made by Prisoners, ...				
	by two creditable persons of statements made by Prisoners before a District Police Officer, ...	XII.	„	XLIII.	1
Attorney -	power of, in what cases such an accreditation authorizes a person to act for another in a Civil Suit, ...	III.	„	III.	2
Auction - -	sale by, of property of defaulters in the Land Revenue at Bombay, ...	XIX.	„	IV.	
	do. of confiscated opium, ...	XXI.	„	VI.	5
	do. of Tobacco, foreign Snuff and Ganza, imported into Bombay, the duties remaining unpaid above six months after warehousing, ...		„	XX.	3
	do. of do. confiscated, ...		„	XLIII.	1 & 2
Authentication	of confessions by two witness, ...	XIII.	„	XXXVII.	1
	of depositions or documents recorded in one Court and forwarded for proof in another, ...		„	XXXIX.	
Award - -	of Arbitrators, see "*Arbitration.*"				
	determining the right to immoveable property may be inserted in the registry of title deeds, ...	IX.	„	III.	1 & 2
	of other description may be inserted in the General Register, ...		„	IV.	
Badge - -	individuals forbidden to use such,	XXIII.	„	VI.	
Baharwuttaee	or leaving home for hostile purposes, shall be reported by the Magistrate to the Suddur Foujdary Udalut, ...	XII.	„	XXXIX.	1
	which may issue a proclamation of banishment unless the party deliver himself up within a certain period, ...		„	„	2
	if the party enter a district from which banished, he shall be apprehended and treated as a state prisoner, ...		„	„	3
	but this is not to interfere with his being tried for any Criminal offence,				
	the sentence of banishment under what circumstances and how recallable,		„	„	4
	instances of to be reported by the Head of a Village to the District Police Officer,		„	LIII.	3
Bail - - -	see "*Security.*"				
Banishment -	as a punishment, how inflicted, ...	XIV.	„	VII.	4
	may be resorted to against a person who has adopted habits hostile to the public tranquillity, see "*Baharwuttaee.*"				
Bankote - -	port declared open to specified certificate privileges, ...	XX.	„	I.	3

		REG.	SECT.	CLAUSE.
Base - -	money, see "*Coin*," and "*Coining*."			
Battakee -	public sales by beat of, ...	XIX. 1827.	XIII.	
Bazars - -	Superintendent of, see "*Superintendent*."			
Beegary - -	the pressing of forbidden, see "*Impressment*."			
Belt - - -	as a distinguishing mark to peons, see "*Badge*."			
Bengal - -	opium made within the limits of that Presidency not liable to an import duty of twelve Rupees per Surat Seer at Bombay and its subordinates, ...	XXI. „	I.	2
Bequest - -	see "*Will*."			
Bhownuggur	Thakore of; exceptions in his favor to the General Rules of limitation of time for Civil Suits being received, ...	V. „	V.	
Bigaree - -	see "*Beegary*."			
Bill of lading	rules for the production of, on ships arriving at ports subordinate to Bombay,	XX. „	XII.	
Bind - - -	to bind over, see "*Security*."			
Birth Day -	the King's, Civil Courts to be then closed,	III. „	I.	2
	and Criminal Courts, ...	XIII. „	IX.	
Bodily - -	injury or suffering indirectly produced, how punishable, ...	XIV. „	XXIX.	3
Book of Entries	for registers of title deeds and general register, ...	IX. „	V.	2 to 7
Bombay -	Island of, and adjacent dependencies—Revenue Jurisdiction administered by Revenue Judge and Court of Petty Sessions, ...	II. „	App. E.	
	rules for taxes on land, shops and stalls, and Country Music, ...	XIX. „	Chap. I.	
	temporary sheds, and public notices,			
	sums to be appropriated to the draining and improvement of the Island and maintenance of Police and Public Markets,	„	XVI.	
	Court of Requests at, see "*Requests*," Court of,			
	rules for the tax on houses on the Island, beyond the limits of the town, and on Colaba, ...	„	Chap. III. V.	
	to be appropriated to watching, improving and cleaning the streets of Bombay,	„	XXIII.	1
	rules for the tax on Carriages and Riding Horses, ...	„	Chap. IV.	
	fees leviable in the Court of Petty Sessions and Offices of the Magistrates of Police,	„	„ VI.	
	rules for the importation of Tobacco, foreign Snuff and Ganza; for their warehousing and deposit; for their exportation; and penalties on smuggling and illegal retail, ...	XXI. „	Ch. V. to VIII.	
	Custom Duties on Imports, see "*Customs*."			
	Magistrates and Collector of, see *Respective Heads*.			
	requisitions for guards or Military aid at,	XXII. „	XLIV.	
Bond - -	a Penalty Bond to be executed by a person entering into recognizance in Criminal matters, ...	XII. „	XXIV.	1
	and by a person becoming security,	„	„	3
	see "*Security*," "*Form*."			
	may be entered in the General Register,	IX. „	IV.	
	to be executed on a pass for coasting vessels being lost or mislaid before its period has expired, ...	XX. „	XXI.	6

		REG.		SECT.	CLAUSE.
Boundaries -	of Zillas, how distinguished, ...	II.	1827.	XVI.	2
	of Villages, Disputes respecting them to be tried by a Commission, see "*Commission for trying Boundary Disputes.*"				
	boundaries so determined to be distinguished by landmarks, ...	X.	„	XIII. & XVI.	
	the Magistrate how to prevent unauthorized removal of the said marks,	XII.	„	XVI.	
	disputes regarding, cognizable by the Collector as Civil Suits, ...	XVII.	„	XXXI.	5
Brahmin -	on what cases persons of such description are exempt from capital punishment,	XIV.	„	IV.	5
	and from hard labour, ...		„	VII.	3
Branch - -	the Code to be divided, in addition to the Preliminary Regulation, into branches descriptive of the principal subjects of legislation, ...	I.	„	II.	1
Breach - -	of trust, how punishable, ...	XIV.	„	XL.	
	of oath or solemn declaration, see "*Perjury.*"				
	of the Peace, see "*Assault,*"				
	how the Magistrate may interfere to prevent,	XII.	„	XVI.	
	or the District Police Officer, ...		„	XLV.	4
	or the Head of a Village, ...		„	L.	1
Breaking -	in cases of robbery entrance effected by breaking open a fastening or enclosure constitutes force, ...	XIV.	„	XXXVI.	3
Bribery - -	see "*Misconduct.*"				
Brigade Major	or other Staff Officer at Stations, to sign published rules for maintenance of order established by Commanding Officers,	XXII.	„	XXVI.	
British born subjects	how amenable to Zilla Civil Courts,	II.	„	XLVI.	
	to procure certificates of permission to reside at a greater distance than ten miles from the Presidency, ...		„	XXI.	5
	amenable for debt not exceeding fifty Rupees to Magistrates, ...		„	XLV.	
	may Appeal from decisions passed in Zilla Courts to the Supreme Court at the Presidency, ...	IV.	„	LXXIII.	
	prohibited from possessing or occupying land, ...	XXIII.	„	III.	1
	which is not to prevent land being assigned as security for loans, ...		„	„	2
	and in certain cases the possessing it may be sanctioned, ...		„	IV.	
	exempted from the Jurisdiction of Zilla Criminal Courts, ...	XI.	„	I.	1
	how amenable for Assaults committed on natives, ...	XII.	„	XI.	
	if charged with Criminal offences to be apprehended and forwarded to the Presidency, unless subject to the Jurisdiction of a Court Martial, ...		„	X.	2
	if without passport or license how to be dealt with, ...		„	„	3
	complaints by natives against, for assault or forcible injury not felonious, how punishable or bailable by a Magistrate or Superintendent of Bazars, being a Justice of Peace, ...	XXII.	„	XXVIII.	
Broach - -	an exception to the rules for limiting the period within which Civil Suits may be received is made regarding a part of the Broach Zilla in, ...	V.	„	VI.	

		REG.		SECT.	CLAUSE.
Broach - -	specification of pergunnas in Zilla of, and date when the Jurisdiction commenced,	II.	1827.	App. E.	
	do. as to the periods within which Bonds of above twelve per cent per annum are recoverable, ...	V.	„	„ A. & B.	
	do. as to the registration of deeds,	IX.	„	„ D.	
	do. do. exempting from payment of Land Revenue, ...	XVII.	„	„ E.	
Buying - -	of slaves, in what cases and how punishable, ...	XIV.	„	XXXI.	
Calendar -	of persons for trial at a Court of Session, to be prepared by the Criminal Judge, and how, also of defaulters in appearance, ...	XIII.	„	XIX.	2
Calumny -	may be prosecuted for in a Civil as well as Criminal Court, ...	XIV.	„	II.	2
	how punishable criminally, ...	„		XXIX.	2
	within Military Cantonments, .. .	XXII.	„	XXVI.	
Camp followers	amenable to the Jurisdiction of Military Courts, ...	„		III.	1
	on a march, rules for punishment of,	„		Chap. VI.	
Cantonment	see "*Military Cantonment.*"				
Capital - -	punishment, see "*Death.*"				
Carriages -	Assessment of particular kinds of, within the Island of Bombay, ...	XIX.	„	XXIV.	1
	limit of Assessment on a certain number of Carriages, ...	„		„	2
	Carriages employed by Government exempted, ...	„		„	„
	must have been used on the public roads during the quarter in which the Assessment has been made, ...	„		„	„
	must have belonged to a resident within the Island during the whole quarter,	„		„	„
	Quarterly List to be made by the Assessor,	„		XXV.	1
	abatement for Carriages sold during the quarter, ...	„		„	2
	false statements by proprietors liable to quadruple surcharge—Penalties for obstruction and delay, ...	„		„ XXVI.	3
	persons overcharged may Appeal to the Court of Petty Sessions, ...	„		XXV.	4
Caranja - -	duty of quarter Rupee per gallon leviable on Spirits manufactured from the produce of, on import into Bombay—Certificate from the Collector, ...	XXI.	„	XLIX.	
Cashiering -	punishment for perjury or false testimony by certain Commissioned Officers,	XXII.	„	XII.	
	may be awarded against a person convicted or acquitted by the Civil Magistrate,	„		XIII.	
	punishment for making false musters or aiding do.	„		XVIII.	
Cashkeeper -	in the Establishment of the Collector of Land Revenue how appointed and dismissed,	XVI.	„	IX.	
	punishable by fine not exceeding his month's salary, ...	„		„	2
	prohibited from using official funds, and from trading, or receiving presents,	„		XI.	2
	how punishable for breach of the said prohibitions, ...	„		„	3
	security for appearance may be required,	„		XII.	
	for further particulars, see "*Native Officers of the Land Revenue Establishment.*"				
Caste -	expulsion from, an action for damages may be laid on each separate occasion of caste privilege being refused, ...	V.	„	II.	3

		REG.		SECT.	CLAUSE.
Caste - -	customs, how to be ascertained in Law Suits, ...	IV.	1827.	XXVII.	2
	customs and rules, all possible facility of observing them to be afforded in the Criminal Jail of the Zilla, ...	XIII.	„	XLIV.	3
	commission to patell, muckadum or chogla of, fee on, in Bombay, ...	XIX.	„	XXX.	1
	expulsion from, in disputes regarding, interference of the Superintendent of Bazars, how limited, ...	XXII.	„	XXXII.	3
Casting Vote	if an even number of Judges of the Suddur Udalut be equally divided in opinion the Senior to have the casting voice,	II.	„	IX.	3 & 4
	also of the Suddur Foujdary Udalut, if more than three in number, ...	XIII.	„	XXVIII.	2
Cattle - -	such as are necessary for cultivation of a defendant's land to be exempt from distraint in a Civil Suit, ...	IV.	„	LXII.	2
Causing -	Death, see "*Murder*," "*Homicide*."				
	Abortion, see "*Abortion*."				
Certificate -	to be procured by British born subjects having permission to reside at a distance greater than ten miles from the Presidency, ...	II.	„	XXI.	5
	of registry in the General Register of title deeds or General Register, ...	IX.	„	V.	8, 9
	to be furnished to a person sentenced to expulsion from a Zilla if the said sentence be recalled, ...	XII.	„	XXVIII.	4
	of pardon to an accomplice admitted as witness, ...		„	XXXV.	1
	to be provided and published when a sentence of Banishment against a Baharwuttya is recalled, ...		„	XXXIX.	4
	fee on granting certificate to commanders of ships on arrival at and departure from the port of Bombay, ...	XIX.	„	XXX.	1
	to be procured from the Collector of Bombay previously to the issue of licence for the sale of Tobacco, foreign Snuff, and Ganza, ...		„	XXVII.	
	of the ownership of coasting vessels of above twenty Candies' burthen,	XX.	„	XXI.	3
	of the payment of import duties in the ports of the Konkuns, ...		„	XXVII. XXVIII.	
	of guides and conveyance for public property furnished on the march of Troops,	XXII.	„	XLI.	2
	of damage to individuals occasioned by the encampment or march of Troops,		„	XLIII.	2
	on the transit of foreign spirituous liquors,		„	LII.	
	of pauperism, ...	VI.	„	I.	4
	of executorship, heirship, or administratorship, how procured, ...	VIII.	„	III.	
	and what rights it confers, ...		„	VII. and VIII.	
	to be on Stamped Paper, and of what value,	XVIII.	„	XIX.	
	granted by Kazees, to be on Stamped Paper, and of what value, ...		„	„	
Chains - -	hanging in, ...	XIV.	„	IV.	3
Chapter - -	regulations to be thereinto divided when requisite, ...	I.	„	II.	5
Charge - -	against a person of having committed a criminal offence, how to be laid before a Magistrate, ...	XII.	„	IX.	1 & 2

		REG.		SECT.	CLAUSE.
Charges - -	how witnesses expenses are to be defrayed, ...	IV.	1827.	XLV.	
	to be recorded by the Serishtadar,	„		„	3
	for removing nuisances in what cases defrayed by sale of the materials,	XII.	„	XIX.	6
Chieftain -	Government may act in behalf of such in Law Suits, ...	III.	„	III.	2
	respecting the Police Authority with which they may be invested, see "*Landholder.*"				
Child - -	may not be sold as a slave except in time of famine and by one of its parents in which case a right of redemption is reserved for ten years, ...	XIV.	„	XXXI.	
	under ten years of age may not be separated from its mother by her being sold as a slave, ...				
	illegal detention of, how defined and punishable, ...	„		XXXIII.	2
Chogla - -	of a caste—fee on commission to, in the Court of Petty Sessions and Offices of the Police Magistrates of Bombay,	XIX.	„	XXX.	1
Christmas Day	Civil Courts to be then closed, ...	III.	„	I.	2
	execution of sentences of death to be then suspended, ...	XIV.	„	IV.	1
	Criminal Courts to be then closed,	XIII.	„	IX.	
Chuprass -	or Badge for Peons, see "*Badge.*"				
Circuit - -	Court of to be held by the Puisne Judges of the Suddur Foujdary Udalut in rotation,	„		V.	1
	at what periods, ...	„		„	2
	but the period may be altered or order of rotation may be set aside by the Court of Suddur Udalut, or by Government,	„		„	3
	if the period is altered a report to be made to Government, ...				
	the Criminal Judge's Establishment of European or Native Officers to officiate in the Court of Circuit, ...	„		VI.	1
	being qualified by oath or declaration,				
	to use a seal which between the tours shall be kept by the Register of the Suddur Foujdary Udalut, ...	„		„	2
	its size and inscription, ...				
	to give at least fifteen days notice of a Session being held which shall be proclaimed by the local authorities, ...	„		XIX.	1
	on what days the Court is to be closed,	„		IX.	
	may be deputed by the Court of Suddur Foujdary Udalut to perform certain duties, ...	„		XXX.	1
	how contempt of Court is punishable,	„		XI.	
	also twenty-five stripes may be inflicted,	„		XX.	2
	process issued from it, to be executed by the Criminal Judge, ...	„		XII.	5
	and the same how to be certified,	„		XV.	6
	forms and arrangement of business before the Court, and procuring additional evidence to be executed by the Criminal Judge according to the Court's order,	„		XX.	4
	for taking and recording evidence, see "*Witness.*"				
	how far the Suddur Foujdary Udalut may revise the acts of a Court of Circuit,	„		XXX.	5
	forms of courtesy to be observed on the trial of a Landholder, ...	XV.	„	XVIII.	
	or of his relations, ...	„		XX.	

		REG.	SECT.	CLAUSE.
Circuit - -	convictions before it of slave dealing to be reported to Government by the Criminal Judge, ...	XIII. 1827.	XII.	7
	what offences are to be tried and investigations made, ...	„	XVI.	1
	how general superintendance is to be exercised over the Criminal Judge's and Zilla Magistrate's Departments and faults noticed and cases if necessary forwarded to the Suddur Foujdary Udalut,	„	„	2
	representations to be received, ...	„	„	5
	what control may be exercised over Civil procedure, ...	„	„	4
	the Civil and Criminal Jails to be visited,	„	„	3
	may order any matter to be taken cognizance of in the Criminal Judge's or Magistrate's Departments, ...	„	XVII.	1
	may annul or reduce the amount of Penalty or security bonds, ...	„	„	2
	in matters wherein control is not expressly vested in the Court of Circuit, the Criminal Judge or Magistrate may procure its order to be referred to the Suddur Foujdary Udalut, ...	„	„	3
	what information the Criminal Judge shall furnish to prisoners preparatory to trial,	„	XVIII.	
	what records shall be prepared for the Session, ...	„	XIX.	
	parties and witnesses to be held in attendance, ...	„	„	4
	Criminal Judge to prepare the accommodations for the Court, ...	„	XX.	1
	enforcement of Penalties for non-appearance and subsequent measures to be at the discretion of the Court of Circuit, also the binding over to good behaviour,	„	„	3
	trial how to be conducted and recorded,	„	XXI.	1 & 2
	what sentences to be executed on the authority of Court of Circuit and what confirmed by the Suddur Foujdary Udalut, ... what warrants to be issued in each case;	„	„	3
	sentences, against the same person for different offences, at the same Session may be combined in one warrant, ...	„	„	4
	a trial may be twice postponed to the ensuing Session, ...	„	XXII.	1
	or referred for decision to the Suddur Foujdary Udalut, ...	„	„	2
	the Court of Circuit's Records to be transmitted to the Suddur Foujdary Udalut,	„	XXIII.	1 & 3
	references to the Suddur Foujdary Udalut, to be made by Letter, ...	„	„	2
	a report respecting the Police and Judicial business of the Zillas to be made at the expiration of the Circuit, ...	„	„	4
	if at the usual period of Circuit there be no commitment at any particular Zilla, the Suddur Foujdary Udalut will determine whether or not the judge shall proceed there; but thus visiting the Zilla shall not be omitted twice consecutively,	„	XXX.	4
	commitments for trial before, may be made by the Zilla Magistrate or his Assistants if so specially authorized by Government,	XII. „	XIII.	3

		REG.		SECT.	CLAUSE
Circuit - -	may direct a Magistrate to proclaim a reward of not more than one hundred Rupees for the apprehension of an offender,	XII.	1827.	XXXII.	1 & 2
	may award a reward of one hundred Rupees for seizing a leader of a gang, or twenty Rupees for one accomplice, or ten Rupees each for accomplices,	„		XXXIII.	1 & 2
	but in cases of treason the sanction of Government is required, ...	„		XXXVI.	
	may award a reward of fifty Rupees for meritorious conduct in aiding the Police in general, ...	„		XXXIII.	3
	may direct the offer of pardon being made to an accomplice on condition of his furnishing evidence, ...	„		XXXIV.	3
	unless in case of treason, when the sanction of Government is required,	„		XXXVI.	
	may direct a village to be made responsible for a robbery committed or traced within its limits, ...	„		XXXVII.	3
	may direct a Magistrate to adopt the procedure laid down for attaching the property of fugitive offenders, ...	„		XXXVIII.	5
	may administer the oath of qualification to a Collector of Land Revenue,	XVI.	„	III.	2
	or his Assistants, ...	„		V.	
Circulation -	of Books and Papers, how restricted,	XXIV.	„	III.	
Citation - -	process of, within Military Cantonments,	XXII.	„	XXXIV.	
Civil - - -	Civil Courts, see *"Court of Civil Judicature."*				
	Civil Suit, see *"Suit."*				
	Civil Servants, see *"Officers."*				
	authorities—to give aid to Military do. in the apprehension of offenders, ...	„		III.	3
	mode of communication with the Superintendent of Bazars and execution of process within Cantonments, ...	„		Chap. V.	
	to give aid in the march of Military Forces,	„		„ VII.	
	mode of making requisitions for Military aid, ...	„		„ VIII.	
	Surgeon, to attend the Criminal Jail of the Zillas, ...	XIII.	„	XLII.	2
Clause - -	a subdivision of a regulation, ...	I.	„	II.	5
Clerk - -	to a mercantile house, see *"Gomashteh."*				
	on the establishment of a Collector of Land Revenue, to be appointed, dismissed, and punishable with fine, by the Collector, but under the control of Government,	XVI.	„	IX.	
	of the Court of Petty Sessions at Bombay —how to levy, dispose of, and furnish accounts respecting fees received in the Court of Petty Sessions and Offices of the Magistrates of Police, ...	XIX.	„	XXXI.	
	of the crown, or other officer receiving fines in the Supreme Court—fines to be transmitted to, by Magistrates convicting British subjects, ...	XXII.	„	XXVIII.	
Clothing - -	to be furnished to Prisoners in the Criminal Jail, ...	XIII.	„	XLII.	4
Coasting vessels	rules for the grant of passes to,	XX.	„	XXI.	
Cobalt - -	sale of, how restricted, ...	XIV.	„	XX.	
Cocculus Indicus - -	sale of, how restricted, ...	„		„	
		XXI.	„	Chap. IX.	

		REG.	SECT.	CLAUSE.
Code - -	of regulations now in force; general rules respecting its constitution, ...	I. 1827.		
Cognizance -	see "*Jurisdiction*," "*Court*," "*Magistrate.*"			
Co-heir - -	if a suit be instituted on an hereditary claim without all the heirs being parties the Court is to give notice and allow any co-heir to conjoin in the suit,	IV. „	XLVI. and XLVII.	
Coin - - -	defacing, how punishable, ...	XIV. „	XVIII.	
	issuing of an unlawful sort, how punishable, ...	„	XIX.	
	issuing counterfeit, within Military Cantonments, ...	XXII. „	XXVI.	
Coining - -	how defined and punished, as also furnishing tools for the purpose, ...	XIV. „	XVIII.	
Colaba - -	tax on houses in the Island of, ...	XIX. „	Chap. III.	
	rules for the importation of Tobacco, foreign Snuff and Ganza, ...	XXI. „	XVII. and XVIII.	2 1
	license required for the sale of do. within,	„	XXIII.	
	penalties for smuggling ditto, abetting or concealing the same, or illegally retailing do.	„	Chap. VIII.	
Collector of Bombay	rules for Assessment and collection of the Land Revenue at the Presidency, and trial of Revenue Suits, ...	XIX.	Chap. I.	
	his Assistants and Establishment, Collector and Assistants to take prescribed oath, ...	„	I.	
	do. do. amenable to Civil prosecution before the Revenue Judge (Senior Magistrate of Police,)	„	II. VI.	
	Assessment to be according to Regulation XVII. of 1827, Section III. IV. Clause 1, 2, 3, 5, and 6, 1—Defaulter's property may be attached and sold,	„	III.	1
	to decide on doubtful points, but if such decision involve a change of practice, enforcement may be temporarily stayed on pledge to institute a suit before the Revenue Judge, ...	„	„	2
	to give notice of the periods when Revenue is due, ...	„	IV.	1
	procedure abbetting defaulters,			
	proceedings stayed if suit instituted before the Revenue Judge and security given,	„	„	2
	illegal exactions how recovered and punished and amount of forfeiture how applied,	„	V.	
	decree of the Revenue Judge against the Collector to be fulfilled on the responsibility of the latter unless appealed from under instructions of Government,	„	VII.	3
	if against the occupant, to be enforced by the Collector except an Appeal be made,	„	„	„
	to make a Quarterly Assessment on shops and stalls, ...	„	IX. App. B. C.	1
	his subordinates to furnish security and be under the liabilities and responsibilities attached to persons in the Land Revenue Department, ...	„	IX.	2
	to give receipts for quarterly payments,	„	„ XIV.	3
	rules for the Assessment of wedding sheds and places of temporary amusement,	„	X.	
	penalty of ensclosing roads for do. without license and certificate, ...	„	XI. XIV.	

		REG.	SECT.	CLAUSE.
Collector of Bombay	to countersign licenses for using country music without doors, ...	XIX. 1827.	XII. App. D.	1
	rate of Assessment, and penalty for so doing without license, ...	"	XII. and XIV.	2
	to countersign licenses for giving public notice by beat of battakee, ...	"	XIII. App. E.	1
	rate of Assessment—Penalty for giving such public notice without licence,	"	XIII. and XIV.	1 & 2
	Assessment fine, penalty of forfeiture under Section IX., X., XI., XII. and XIII., leviable by distress and sale—and imprisonment in default of payment, by the Collector if a Justice of Peace,	"	XIV.	
	Appeal from him to the Court of Petty Sessions, ...	"	XV.	
	money so received to be applied in the maintenance of Police, public markets, draining and improvement of the Island of Bombay, control of the Court of Petty Sessions, who may make order on the Collector for disbursements, and call for accounts; sanction of Government when necessary, ...	"	XVI.	
	to collect the house tax through his establishment under Section IX., Clause 2 and 3—Annually, ...	"	XVII.	
	to receive from the Assessor annually a new Assessment on houses not exempted by Section XIX., and publish in the newspaper used for Government Advertisements a notice that the Assessor's books are open to inspection for one month at Collector's Office, ...	"	XX.	
	on Appeal from the Assessment to the Court of Petty Sessions, to receive from that Court a certificate of their confirmation, reduction or disallowance of the Assessment, and recover the amount,	"	XXI.	
	see "*Assessor.*"			
	process in case of non-payment within eight days after demand—see "*Justice of Peace,*"	"	XXII.	
	to receive from the Assessor Quarterly Returns of Carriages and Horses assessable within the Island of Bombay,	"	XXVI.	1
	to receive the amount of Assessment or surcharge on account of the tax on Horses and Carriages through his establishment (Section IX., 2) and if not paid within eight days after demand, payment to be enforced before a Justice of Peace as specified in Section XIV., ...	"	"	2
	appropriation of the amount of this tax,	"	XXVII. and XXVIII.	
	rules for giving notice to, of the transfer of lands, houses and tenements subject to the payment of quit or ground rents to Government, ...	"	XXIX.	
	to give permits on the retail of Tobacco, foreign Snuff and Ganza, imported into Bombay, ...	"	XXII.	
	limitation as to issue, ...	"	XXX.	
	return of do. to be made to him, and certificate to be granted by, previous to the issue of license, ...	"	XXVI. and XXVII.	

		REG.	SECT.	CLAUSE.
Collector of Bombay	liberty to enter and examine places of deposit of do. under penalties for obstruction, ...	XIX. 1827.	XXXI.	
	rules for the exportation of do.	„	XXXII. XXXIII. & XXXIV.	4
Collector of Land Revenue	Native Collector, see "*Kamavisdar.*"			
	how process is to be issued when a Civil Suit is instituted against him, ...	IV. „	V.	2
	may detain crops on land sold in execution of a Decree if Revenue be due,		LXIX.	2
	may take copies of the records of commissions for trying Village Boundary Disputes, ...	X. „	XII.	2
	to superintend the sale and distribution of stamps in each Zilla, ...	XVIII. „	II.	
	to make certain statements respecting land possessed or occupied by Europeans or Americans, ...	XXIII. „	IV.	
	to manage property attached for reasons of state, ...	XXV. „	VIII. & IX.	
	to perform the functions of Magistrate in the Zilla, ...	XII. „	I. and III.	
	to pay rewards duly proclaimed and adjudged for the apprehension of offenders,	„	XXXII.	4
	or awarded by a Court of Circuit,	„	XXXIII.	2 & 3
	to levy sums adjudged against villages in responsibility for robberies committed in their boundaries, ...	„	XXXVII.	2
	to be appointed to such District as Government may determine, to follow Government Orders in matters not provided for by regulation, ...	XVI. „	I.	
	to assess and collect revenue, ... according to usage if there be no regulation on the subject, ...	„	II.	1
	the mode of doing it and the punishment for over exaction to be according to the regulations, ...			
	what rules are to be followed in assessing land, ...	XVII. „	Chap. I.	
	to try Civil Suits of a certain nature, and claims to exemption, ...	XVI. „	II.	2
	to qualify by oath, ...	„	III.	1
	before what authority, ...	„	„	2
	copies of the oath where to be deposited,	„	„	3
	to use a seal, ...	„	IV.	
	Assistants to be appointed and qualified by oath, ...	„	V. and	
	their duties to be assigned by the Collector, ...	& XVII. „	IX.	4
	to be subject (as well as all officers on the establishment) to the Jurisdiction of the Zilla Civil Court, ...	XVI. „	VI.	1
	may be held responsible for law expenses incurred on the part of Government,	„	„	2
	forbidden (as well as the Assistants) to employ public servants in private business, or vice versâ, ...	„	VII.	1
	or to hold a farm or be concerned personally in the Revenue, ...	„	„	2
	or to trade, or purchase goods for remittances, ...	„	„	3
	liable (as well as Assistants) to suspension			

		REG.	SECT.	CLAUSE.
Collector of Land Revenue	or dismissal by Government in certain cases, ...	XVI. 1827.	VII.	4
	when absent how the duties are to be performed, ...	,,	VIII.	1
	to report to Government the date of giving over charge, ...	,,	,,	2
	if prevented by death or otherwise the first Assistant to take charge, ...	,,	,,	3
	to appoint and dismiss (under the control of Government) European Clerks and Native Officers, ...	,,	IX.	1
	and may punish them by fine not exceeding two months' pay, ...			
	but the dismissal of an officer whose monthly salary exceeds thirty Rupees must be reported to Government with the reasons,	,,	,,	2
	may suspend an officer who is under criminal prosecution, ...	,,	,,	3
	and dismiss him whether found guilty or not, ...	,,	,,	4
	but if his monthly salary exceeds thirty Rupees the reasons must be reported to Government, ...	,,	,,	5
	dismissal to be subject to the decision of Government, ...	,,	,,	6
	may take security for appearance from Native Officers entrusted with money or papers, ...	,,	XII.	1
	and may require security previously taken to be changed, being empowered to suspend or dismiss the officer if it be not furnished in one month, ...	,,	,,	3
	how the surety is to be responsible,	,,	XIII.	1
	and on delivering up the principal not entitled to recover from the Collector what he may have paid in the interim,	,,	,,	2
	to signify in writing to Native Officers of of his establishment against whom he may have a demand, ...	,,	XIV.	1
	may cause the party to be confined in the Zilla Jail until he complies with the demand, ...	,,	,,	2
	and may attach and sell his property, but if the property be immovable the sanction of Government must be obtained, ...	,,	,,	3
	and if during this process the party should not have made his appearance, the Collector is not liable to damages or costs even though the demand be not due,	,,	,,	4
	the party or his surety may institute a suit to try the validity of the demand on furnishing certain security, on which imprisonment and attachment shall cease,	,,	XV.	1
	or make a representation to Government through the medium of the Zilla Judge, ...	,,	,,	2
	the death of the party to relieve the surety from responsibility for matters not already demanded to be made good by the surety, but the estate and heirs to remain under the ordinary rules of responsibility,	,,	XVI.	
	may require the services of hereditary District Officers and Village Officers,	,,	XVII.	1

		REG.	SECT.	CLAUSE.
Collector of Land Revenue	may dismiss them, reporting the reasons to Government, ...	XVI. 1827.	XVII.	2
	in investigating the cause of such dismissal has the same authority regarding witnesses as the Magistrate, ...	„	„	3
	how to arrange for the service being performed when the office belongs to various persons in shares, ...	„	„	4
	to record the land or allowances attached to the offices, ...	„	XIX.	
	to appoint Village Accountants where there are none hereditary, ...	„	XXI.	
	to regulate the form of keeping village accounts, ...	„	XXII.	1
	and the furnishing copies to certain officers,	„	„	2
	to authenticate copies taken by persons interested therein provided they be on the proper stamped paper, ...	„	XXIII.	2
	to sanction the Village Accountant entering as assessable land for which a title deed is not registered, ...	„	XXV.	2
	to assess and collect the amount of loss incurred by an occupant giving up his land without due notice, in the same way as ordinary revenue, ...	XVII. „	VI.	1
	his sanction required to the alienation of land the revenue produced by which is nominally laid on other land or made good without apparent reference to the land, ...	„	„	2
	on giving such sanction how to secure the revenue, ...			
	may dispose of uncultivated land for the benefit of the revenue, ...	„	VII.	1
	individual rights in the same being reserved, ...	„	„	2
	his decision in questions of Assessment to be acted on in the first instance,	„	IX.	1
	but appealable to Government or the Civil Court, or both, ...	„	„	2 & 3
	how to give notice of the periods at which Land Revenue instalments become due, and of the persons to whom they are to be made, ...	„	X.	
	may (by proclamation one month previous) prohibit the reaping of assessable crops without notice given,	„	XI.	1
	and levy a fine for breach of the prohibition, ...			
	or may prohibit in like manner the removal of a crop, ...	„	„	2
	may place watchmen to prevent such reaping or removal at the expense of the occupant, ...	„	„	3
	but these prohibitions are not to be continued so long as to damage the produce, and after two months they must cease and the Collector may resort to certain other measures of realizing the Assessment, ...	„	„	4
	these prohibitions must also be removed on security being furnished, ...	„	„	5 & 6
	how to enforce payment of current revenue from defaulters, ...	„	XII.	

		REG.	SECT.	CLAUSE.
Collector of Land Revenue	by Mohussullee, ...	XVII. 1827.	XII.	2 to 5
	by distraint of person or property,	,,	,,	6 to 10
	how if the default be for arrears of tukavee, ...	,,	XIII.	
	of different Zillas mutually to assist in realizing demands, ...	,,	XIV.	
	authorized to adjudge and levy fines against Tullatees failing to countersign or record receipts for payments of Land Revenue, ...	,,	XV.	1
	may authorize Kamavisdars to demand security for payment of revenue—and enforce payment by what means,	,,	XVII.	
	do. heads of villages to employ watchmen to prevent removal of crops in certain cases, ...	,,	XVIII.	
	authorized with sanction of Government, to farm the revenue or portion thereof to individuals on written agreement—notice and proclamation in villages,	,,	XX. & XXI.	
	may decide on references from farmers as to increase of the previous year's assessment—such decision when final,	,,	XXII.	
	may authorize farmers to prevent removal of crops, ...	,,	XXIII.	1
	may decide on the appropriation of deposited crops by farmers in satisfaction of revenue demands, ...	,,	,,	3
	may decide on applications from farmers for compulsory process in recovering their revenue, ...	,,	XXVI.	3 & 4
	may receive suit against a farmer by an alleged defaulter—or by him against a ryot on declining to issue compulsory process—or for arrears of former years' revenue, ...	,,	,,	5
	may proceed against a farmer or his security or both on failing terms of agreement as a revenue defaulter—revenues of the farm to be thenceforward paid into the treasury—payments of revenue in anticipation to the farmer not to bar the claim of the Collector on the crop,	,,	XXVIII.	
	superior Landholders responsible to the Collector for the Public Revenue assessed on their lands, and in default of payment or satisfactory security, the amount due to be realized from the crop, or direct from the inferior landholder,	,,	XXX. V.	
	Civil Jurisdiction of, ...	,,	Chap. VIII.	
	vested with Civil cognizance of specified suits under what rules, ...	,,	XXXI.	
	and such original suits depending in Zilla Courts to be transferred to Collector,	,,	,,	
	rules of procedure in such original suits, (see IV. of 1827,)	,,	XXXII.	
	to furnish copy of decree to each party within ten days of its date on his providing stamped paper, (App. F. XVIII. 1827) and then to execute the same on verbal application, in default of security by the opposite party to satisfy the decree, or institute Appeal, ...	,,	XXXIII.	

		REG.	SECT.	CLAUSE.
Collector of Land Revenue	to transfer to the Zilla Court the proceedings and documents connected with the suit, on written intimation from the Judge that an Appeal has been filed against the original decree, ...	XVII. 1827.	XXXIV.	1
	his original decree not to be set aside for want of form in proceedings, but only if the justice of the decision is affected,	„	„	2
	authorized to issue notice of Assessment on occupants of land if he suspect a defective title to total or partial exemption from Assessment—particulars of notice and service, ...	„	XL.	
	and to levy Assessment in default of his answer within two months, or of evidence accompanying it, the party being allowed time to produce it, ...	„	XLI.	
	empowered to try the case as a Civil Suit on production of evidence—Assessment not to be precluded by a sunnud unregistered within a year after the proclamation made in the Zillas of Gujerat and the Konkun, agreeably to the provisions quoted of Regulation III. of 1814, and in reference to the districts and periods specified in Appendix E., ...	„	XLII.	1 to 8
	to return written deeds to the parties producing them, with certificate of date of production copy may be retained,	„	„	9
	to take evidence on the part of Government on trial of the case as a Civil Suit —copy of his record to be given to the party—particulars of it, ...	„	XLIII.&XLIV.	
	decision in favour of the party to be final if sanctioned by Government—if against him, the Assessment to be carried into effect, ...	„	XLVI.	
	copy of record what to contain if the question by the party's consent is left undecided, ...	„	XLVII.	
	by compromise, the party may in certain cases be entitled to a portion of the advantages claimed, ...	„	XLVIII.	
	if assessed under XLI., 1, the occupant may file an original suit against the Collector in the Zilla Court within six or twelve years after the decision was made known—see XXXV., 5, and XXXVI., 2, ...	„	XLIX.	1
	if under XLVI., he may Appeal to the Zilla Court within ninety days after the Collector's decision was made known,	„	„	2
	penalties and forfeitures in case of having given in no written answer Section XII. if the grounds of action stated in the Petition of Appeal are different from those stated in the original answer, if a sunnud, or oral testimony was without due cause withheld,	„ „	„ L.	3, 4, 5 „
	rules for the seizure of smuggled opium, and the officer collecting the customs thereon, ...	XXI. „	V. VI.	1 1
	search warrant may be issued on information on oath of smuggled opium,	„	„	2

		REG.	SECT.	CLAUSE.
Collector of Land Revenue	to have charge of opium for the supply of the retail trade, establish depôts with sanction of Government, and promulgate rules for sale, furnishing licensed dealers with opium from the depôts,	XXI. 1827.	VIII.	
	to furnish pass for opium purchased for retail at another place—procedure thereon, ...	„	IX.	
	to furnish licenses for the retail of opium,	„	X. / XI. / App. A.	2 / 1 & 2
	to furnish opium to retailers from his depôts, but no further quantity to be issued to retailers unless their stock reduced to five Surat Seers—no larger quantity than two Surat Maunds to be delivered at one time on the same license, ...	„	XII.	
	may inspect books of sale kept by retailers, and take account of opium in places of sale by entry between sunrise and sunset—or any person with specific order from, ...	„	XVI.	2
	will grant licences for the sale of specified poisonous substances—fee of Rupees three on its registry, ...	„	XLIV.	
	forfeiture of such license, ...	„ (see XXV.)	XLV. XX.	2
	certificates to be furnished by, of the manufacture of spirits from the produce of Salsette, Caranja and Fort Victoria,	XXI. „	XLIX.	2
	to superintend the manufacture of Spirituous Liquors—choose sites for Suddur Distilleries under Government instructions, and issue orders for their internal management—to give passes for raw mowra—to fix annually the duties on spirits manufactured,	„	LV. to LVII.	
	to issue licenses for the manufacture of spirits at above six miles from the Suddur Distilleries, for consumption or retail sale, ...	„	LVIII.	
	rules for his granting in farm Abkarry duties, ...	„	LX.	
	to issue licenses for the retail sale of country spirits—rules regarding them,	„	LXII.	
	do. manufactured at a Suddur Distillery,	„	LXIII.	
	do. for manufacture and sale at other places, ...	„	LXIV.	
	do. for retailing imported spirits,	„	LXV.	2
	do. for the sale of toddy, ...	„	LXVI.	
	to prosecute investigations on the illicit manufacture and sale of spirits—rules for the seizure of unlicensed stills, machines and materials and smuggled liquor, ...	„	LXVII.	1
	rules for the apprehension of offenders and issue of search-warrants on suspicion,	„	„	2 to 7
	to adjudge for specified offences fine not exceeding 500 Rupees, commutable to six months imprisonment, ...	„	LXVIII.	
	to prosecute with previous consent of Government Landholders and others conniving at the illicit manufacture and sale of spirits, ...	„	LXIX.	

		REG.		SECT.	CLAUSE.
Collector of Land Revenue	provisions for the release and re-imbursement of persons unduly charged and for punishing malicious informants,	XXI.	1827.	LXXI.	1
	option to parties aggrieved of appealing to Government or instituting a Civil Suit,	„		„	2
	distribution of fines and rewards,	„		LXXII.	
	prosecution on information by farmers,	„		LXXIII.	
	in the Konkuns and Dekhun, to transmit monthly certificates of payment of imposts in the Konkun ports to the Collector of Sea Customs in the Konkun,	XX.	„	XXVIII.	3
	to conduct the collection of Inland (Custom) duties under the rules and liabilities otherwise attaching to them and individuals on their establishments,	„		XXX.	
	mutual aid by Civil and Military Authorities, ...	XXII.	„	III. Chap. VII.	2
	to pay for guides and conveyance of public property furnished to troops on a march, ...	„		XLI.	2
	do. on emergent occasions, for services and supplies procured by impressment,	„		XLII.	3
	to pay compensation to individuals for damage occasioned by the march of troops,	„		XLIII.	
	requisitions for military aid and returns,	„		Chap. VIII.	
	to proceed on the information of Superintendents of Military Bazars against the illicit manufacture of spirits therein,	„		XLVIII.	3
	to insert in licenses notice of penalty incurred by selling spirits to Europeans beyond military limits, ...	„		LI.	
	import duty on foreign spirits imported, unless certified to be not for re-sale,	„		LII.	
	confiscation of do. in cases stated,	„		„	3
	to insert in licenses the obligation of liquor venders to accompany troops on a march when required, ...	„		LIII.	4
	not without the Commanding Officer's consent to grant licenses for sale of spirits at Military Stations where is no Superintendent of Bazars, ...	„		LIV.	1
	mode of executing process regarding spirits within military limits, ...	„		„	2 & 3
	proceedure in case of a Collector's refusing to suppress a shop or still at a Commanding Officer's request, ...	„		LV.	
Collector of Sea Customs	may require original invoices for examination, ...	XX.	„	XII.	3
	may issue express permission to land goods at other than established places,	„		XV.	
	may dispense with penalties prescribed for removing goods without permit, or landing them unmanifested, or clandestinely,	„		XVI.	
	rules for the registry and marking of fishing vessels—penalties in default,	„		XX.	
	pass to be procured by coasting vessels, certificate if the vessel be above twenty Candies, ...	„		XXI. App. E.	1, 2, 3
	survey of the vessel and fees on passes,	„		„	4
	rules for the issue of new passes--of duplicates of old ones lost on affidavit and bond—penalty and proviso, ...	„		„	5, 6, 7
	rules on the shipment of goods for export—registry—penalty for breach of them,	„		XXII to XXV.	

		REG.		SECT.	CLAUSE.
Collector of Sea Customs	import duties at the ports in the Konkuns,	XX.	1827.	XXVI.	
	in the Konkuns, certificates to be given of the payment of import duties—rules regarding them—to be an acquittance, on the payment of inland duties through the Konkuns and Dekhun,	„		XXVII. and XXVIII.	
	to authenticate a permit on the landing or embarking His Majesty's or the Honorable Company's Military or Marine Stores, or goods, ...	„		XXIX.	3
	report to Government on the seizure of goods or vessels liable to confiscation—in what case their confirmation necessary, ...	„		XXXI.	1
	resistance or rescue, if owner abetting, renders such property otherwise liable to forfeiture, ...	„		„	2
	to receive (or deputy in charge of district) ⅓ of proceeds of confiscations, after paying duties, ...	„		XXXII.	
	when confiscation—sales to be deferred,	„		XXXIII.	1
	fines and penalties (not confiscations) how to be enforced if not paid on demand,	„		„	2
	rules for the payment of duties on opium imported into Bombay and its subordinates, ...	XXI.	„	I. Chap. I.	3
	rules for the seizure and deposit of smuggled opium—for the issue of search warrant on information on oath—and for the confiscation of such opium and packages, or restoration to the owner, in the cases specified, ...	„		V. & VI.	
	before what tribunals the penalty for smuggling opium to be enforced, ...	„		VII.	
	rules for examining packages of opium under pass as purchased from the depôts for retail at another place, ...	„		IX.	
	rules for the importation, warehousing and exportation of Tobacco, foreign Snuff and Ganza, ...	„		Ch. V. to VII.	
	enforcement of penalties for smuggling do. abetting or concealing the same, by search warrant do.	„		Chap. VIII.	
	provision for the recovery of do. unduly seized, and confiscation in default of proof, ...	„		XLI.	
	appointment of, and of his establishment,	XX.	„	IV.	1
	oath to be taken by—duties of the office, and deputed power of officers of his establishment, .. .	„		V. & VI.	
	amenable for official acts to the Zilla Court, so also his Deputies, Assistants and Native Officers, ...	„		VII.	
	declaration of ports in the Konkuns open to export and import, ...	„		IV.	2
	disposal of goods on which duties remain unpaid, ...	„		VIII.	1
	goods to be passed free at the discretion of,	„		„	2
	Military Stores on board or landed to be reported to Government, ...	„		IX.	
	hours of business—prior applications to be attended to in preference, ...	„		X.	1 & 2

Comavisdar - see "*Kumavisdar.*"

		REG.	SECT.	CLAUSE.
Combustible	how far the Magistrate may interfere with the disposal of articles of such nature,	XII. 1827.	XIX.	
Commanding Officer of the Forces, or, Commander in Chief	may delegate in certain cases his power of convening Native General Courts Martial and revising their sentences,	XXII. „	I.	
	orders for the composition of Courts of Requests, ...	„	VII.	2
	to receive from Commanding Officers Returns of punishments and confiscations by Superintendent of Bazars,	„	XXX.	
	do. of decisions in suits of debt by do.	„	XXXII.	2
	proceedings in case of requisition for Military aid by Civil Officers referred to by Commanding Officers, ...	„	XLVI.	2
Commanding Officers	communication to, by Civil Officers confining Officers or Soldiers, ...	„	III.	2
	mutual aid to be afforded by Civil and Military Authorities, ...	„	„	3
	to receive from the Suddur Foujdary Udalut, copies of returns of prisoners sentenced by Court Martial and forwarded to the Criminal Judge, ...	„	VI.	2
	to convene Courts of Requests,	„	VII.	2
	to prosecute before the Civil Court for embezzlement or damage to Military Stores,	„	XX.	
	to mark limits of Military Cantonments, in conjunction with the local Magisrrate,	„	XXI.	
	to appoint a person to act as Superintendent of Bazars until the vacancy be supplied by Government, ...	„	XXII.	
	to receive the Superintendent's Report in cases beyond his jurisdiction,	„	XXVII.	
	may suspend, mitigate, remit or confirm sentences by the Superintendent,	„	XXX.	
	to receive returns of punishments and confiscations from do. and forward to the Commander in Chief, ...	„	„	
	do. of decisions of suits of debt by do.	„	XXXII.	2
	mode of communication with Civil Officers and execution of Civil process within the limits of Cantonments, ...	„	Chap. V.	
	punishment of camp followers on a march,	„	„ VI.	
	on march of Military Forces, in what cases to give notice to the Magistrates of aid required, ...	„	XL.	
	to give certificate of provisions and conveyance and guides furnished for public property and to individuals, ...	„	XLI.	
	Letter to the Magistrate in case of necessity of impressment, ...	„	XLII.	
	certificate of damage to individuals by march or encampment of troops,	„	XLIII.	
	requisition from Civil Officers for temporary guards or Escorts at out-stations, to be complied with or suspended and referred to the Commander in Chief,	„	XLVI.	
	permission of, for sale of spirits to Europeans, ...	„	XLIX.	2
	revision of the Superintendent of Bazar's decisions and returns to the Commander in Chief, ...	„	„	5
	permission of, for sale of spirits to Europeans beyond Military limits,	„	LI.	

		REG.		SECT.	CLAUSE.
Commanding Officers	decision of cases of illicit sale and smuggling of liquor on a march, within limits of the camp, ...	XXII.	1827.	LIII.	2
	may authorize liquor venders to accompany troops marching from stations where is no Superintendent of Bazars—amenable to him, ...	„		„	3
	consent of, to the Collectors' license for sale of spirits where is no Superintendent of Bazars, ...	„		LIV.	1
	to facilitate the execution of Collectors' process, ...	„		„	2 & 3
	to refer to Government on Collectors' refusing to suppress a shop or still in the vicinity of a Military Station,	„		LV.	
Commercial Transactions	forbidden to Collectors of Land Revenue and their Assistants, ...	XVI.	„	VII.	3
	and to Native Officers intrusted with the charge or collection of public money in the Land Revenue Department,	„		XI.	2 & 3
Commissariat Department	persons serving in, not British born subjects, amenable to the jurisdiction of Military Courts, ...	XXII.	„	III.	1
Commission -	for ascertaining local facts implicated in a Civil Suit, how appointed, ...	IV.	„	XXXI.	1 & 3
	how remunerated, ...	„		„	5
	how the duties are to be performed,	„		„	2 & 4
	for examining witnesses out of Courts, and	„ XIII.	„	XXXIX. XXXIV.	6
	for examing witnesses out of the Bombay Presidency, ...	IV.	„	XL.	2
	how the Commissioners are to proceed,	„		XLII. and XLIII.	
	how to be remunerated, ...	„		XLIV.	
	issued by Courts of Law, to be sealed,	III.	„	IX.	
	for trying disputes respecting Village Boundaries may be appointed wherever there is a Revenue Survey, ...	X.	„	I.	1
	to be proclaimed, ...	„		„	2 & 3
	members how to be selected, ...	„		II.	1
	how to proceed if divided in opinion,	„		„	2
	to qualify by oath, ...	„		III.	
	notice to be given previous to proceeding with the investigation, ...	„		IV.	
	private Arbitration how to take effect,	„		IV. V. and XI.	2 1
	the trials how to be conducted,	„		VI. to VIII.	
	evidence how to be taken, ...	„		IX.	
	false testimony amounts to perjury,	„		„	1
	language of the records, ...	„		X.	1
	contents of the Decree, ... parties entitled to copies of any part of the records, ...	„		„	2
	records to be ultimately deposited in the Zilla Civil Court, ...	„		XII.	1
	after which the Collector may take copies of them, ...	„		„	2
	when judgment has been given, landmarks to be fixed accordingly, ...	„		XIII.	
	how appealable, ...	„		XIV. & XV.	
	how a reversion of the judgment in Appeal is to be executed, ...	„		XVI.	
	to be furnished to Commissioners for trying Civil Suits, ...	II.	„	XXXVIII.	1

		REG.		SECT.	CLAUSE.
Commission -	to be furnished to a District Police Officer unless the office be occupied by a Kamavisdar, ...	XII.	1827.	V.	
	and to Heads of Villages as Police Officers,	„		VI.	1
Commissioner	for deciding Civil Suits: negligence or misconduct how punishable,	II.	„	VI. and XXV.	3 & 4 / 2 & 3
	Appointment and form of Commission,	„		XXXVIII.	1 & 2
	the Station and Jurisdiction, ...	„		XXXVII.	
	Europeans and Americans exempted from their Jurisdiction, ...	„		„	1
	relations, servants, and dependants, not to be parties to suits tried by him,	„		„	2
	Commissioners how liable to punishment, suspension, or dismissal, ...	„		XXXVIII.	3
	size and inscription of the seal to be used,	„		XXXIX.	
	qualification by solemn declaration,	„		XL.	
	Commissioners to receive suits for trial before themselves, or for transmission to the Judge, ...	„		XLI.	1
	to arbitrate, ...	„		„	2
	to execute process for the Judge,	„		„	3
	Commissioners may hear trials jointly,	„		„	4
	to forward such returns as called for by the Zilla Judge, ...	„		XLIV.	
	how the discharge of such duties as by the general form of process require a specific Officer is to be provided for,	IV.	„	I.	2
	Commissioners to receive suits,	„		II.	2
	and to record them in a register,	„		IV.	3
	how to proceed with witnesses who are exempted from attendance in Court,	„		XLI.	
	how his proceedings are to be recorded, see *"Record."*				
	by whom recorded, ...	III.	„	VI.	
	Commissioners bound to act as Arbitrators and entitled to certain fees,	VII.	„	II.	2
	a vender of stamps to be stationed wherever there is a Commissioner,	XVIII.	„	III.	1
	Stamped Paper not required in Appeals from decisions passed by Commissioners,	„		App. D.	
Commit - -	if a witness depose falsely in a Civil Suit the Court shall commit him for trial in a Criminal Court, ...	IV.	„	XXXIV.	4
	in what cases the Criminal Judge shall commit a prisoner to be tried by the Court of Circuit, ...	XIII.	„	XII.	2
	a Zilla Magistrate may be vested by Government with power so to commit,	XII.	„	XIII.	3
Commitment	of a state prisoner, ...	XXV.	„	I.	
	of any prisoner to the Criminal Jail of a Zilla, how to be made out in writing,	XIII.	„	XLIII.	1
Commutation	of fine into imprisonment, ...	XIV.	„	IX.	1 & 2
	of penalty for non-appearance of a witness before a Criminal Court into imprisonment, ...	XIII.	„	XXXIV.	1
	of sentence of Native Court Martial,	XXII.	„	X.	1 & 2
Competency	of witnesses in Civil Courts how determined, ...	IV.	„	XXXIII.	
	the same rules applicable to Criminal Courts, ...	XIII.	„	XXXV.	1
Complainant	in a Civil Suit, see *"Plaintiff."*				
	before a District Police Officer always at liberty to compromise his dispute,	XII.	„	XLI.	3
	and before a Head of a Village,	„		XLIX.	2

		REG.		SECT.	CLAUSE.
Complaint -	see "*Petition.*"				
	fees on complaints instituted and filed in the Court of Petty Sessions and Offices of the Magistrates of Police in Bombay,	XIX.	1827.	XXX.	
Compound Interest -	see "*Interest.*"				
Compromise	a complainant before a District Police Officer is always at liberty to compromise the dispute, ...	XII.	„	XLI.	3
	advantage of, in claims to exemption from payment of Land Revenue, ...	XVII.	„	XLVIII.	
Concealment	of a Criminal offence, how punishable,	XIV.	„	I.	6,7 & 8
Confession -	made by a prisoner on trial how to be recorded, ...	XIII.	„	XXXVII.	1
	how far to be received as proof of guilt,	„		„	2
Confinement	illegal, see "*Detention.*"				
Confiscation	of instruments and materials for illegal printing, and articles found on the premises, ...	XXIV.	„	II.	2
	of smuggled opium and articles accompanying it, ...	XXI.	„	III.	
	if unclaimed after seizure during one month,	„		VI.	
	of opium as smuggled, on observed non-conformity of the quantity with the statement in the pass for transferring and retailing it, ...	„		IX.	3
	of opium retailed without license,	„		X.	3
	of smuggled opium found in the possession of a licensed retailer, ...	„		„	5
	of opium found in the shop of a retailer neglecting to make the monthly return, or making a false return, ...	„		XV.	2
	of do. failing to produce his book of sales, making false entry therein, or obstructing search, ...	„		XVI.	3
	of Tobacco, foreign Snuff, or Ganza, smuggled into, concealed or illegally retailed in the Island of Bombay, how enforced,	„		Chap. VIII.	
	of smuggled spirituous liquors,	„		XLVI.	2
	liability to, at discretion of the Collector of Sea Customs, of goods landed without permit, or unmanifested, or clandestinely landed, ...	XX.	„	XV.	
	penalty in case of the goods differing from what is expressed in the manifest,	„		XVII.	
	penalty on the third offence of fishing vessels and harbour craft found without being marked, ...	„		XX.	4
	of coasting vessels navigating without a pass—proviso in case of accident,	„		XXI.	7
	of goods attempted to be shipped without permit, or differing from those specified in the permit, ...	„		XXV.	
	of property, as a punishment for a Criminal offence, how conducted, ...	XIV.	„	VI.	3 & 4
	how defined, ...	„		„	1
	maintenance to be allowed to the family of the offender, ...	„		„	2
	claims on the property how to be determined, ...	„		„	3
	dues to the offender recoverable on account of the confiscation, ...	„		„	4
	rules for conducting the, of goods or vessels, in the Sea Custom Department,	XX.	„	Chap. IX.	

		REG.		SECT.	CLAUSE.
Confiscation	of smuggled spirituous liquors within Military Cantonments, ...	XXII.	1827.	XLIX.	4
	of foreign spirituous liquors on forged or fraudulent certificate, ...	„		LII.	3
Conjee Diet	may be resorted to as a punishment,	XIV.	„	VII.	5
	and for disorderly conduct in the Criminal Jail, ...	XIII.	„	XLVI.	2
Consideration	if a full consideration for a written acknowledgment of debt has not been received, the latter is not conclusive as evidence, ...	V.	„	IX.	
Conspiracy -	for the purpose of altering or rendering nugatory the law, how punishable,	XIV.	„	XIV.	
Constitution	of the Code of Regulations, see "*Regulation.*"				
	of Courts of Justice, see the Respective Court.				
Contempt -	a party in a Civil Suit neglecting to pay his witnesses expenses may be committed for contempt, ...	IV.	„	XLV.	1
	a witness neglecting a Summons from a Civil Court guilty of contempt,	„		XLVIII.	
	or refusing to give evidence, ...	„		XLIX.	1
	or to sign his deposition, ...	„		L.	
	insolent language or gestures, disturbance or prevarication in Court, punishable as a contempt, ...	„		LI.	
	also obstruction to process, ...	„		LII.	
	and instituting vexatious suits,	„		LIII.	
	limit to the punishment which Assistant Judges and Commissioners may inflict for contempts, ...	„		LIV. and LV.	2
	fines for contempts to be appealable,	„		LV.	1
	imprisonment for contempts how to be inflicted, ...	„		LVI.	
	to the authority of a Landholder vested with Police Authority, how punishable by him, ...	XV.	„	VII.	3
	in a Criminal Court, how defined and punishable, ...	XIII.	„	XI.	
	of any Police Authority, how punishable,	XII.	„	XXIII.	
	in cases cognizable by the Collector as Civil Suits, ...	XVII. / IV.	„ / „	XXXII.	2
Contracts -	may be inserted in the General Register,	IX.	„	IV.	
Contractor -	for sale of liquor at a Military Station, to sell confiscated liquor, ...	XXII.	„	XLIX.	4
	not to establish shops at stations where is less than half a regiment, ...	„		L.	
Contumacy -	see "*Contempt,*" "*Witness.*"				
Convict - -	see "*Imprisonment,*" "*Prisoner,*" "*Escape.*"				
Conviction -	in what circumstances it may proceed from the prisoner's confession, ...	XIII.	„	XXXVII.	2
	to accomplish it an accomplice may be pardoned, ...	XII.	„	XXXIV. & XXXVI.	
Cooly - -	see "*Kooly.*"				
Co-operation	of Magistrates in furnishing evidence and securing offenders, furnishing information and executing process in general,	XII.	„	XV.	
	of Civil and Military Authorities,	XXII.	„	III.	3
Co-partner -	see "*Share.*"				
Copy - -	parties in Civil Suits entitled to copies of the records, ...	III.	„	XII.	
	persons who are not parties may in some cases procure copies of the records,	„		XIII.	

		REG.		SECT.	CLAUSE.
Copy - -	of an arbitration award to be delivered to each party, ...	VII.	1827.	VIII.	4
	of the records of a Commission for trying Village Boundary Disputes, either party entitled to, ...	X.	„	X.	2
	also the Collector, ...	„		XII.	2
	of decrees (except those issued by Native Commissioners,) of judicial or revenue proceedings, of registered papers and of papers authenticated by public Officers, require to be made on stamped paper, and of what value, ...	XVIII.	„	XX.	
	of warrant or precept returned executed to the Court of Suddur Foujdary Udalut or of Circuit to be kept on the Criminal Judge's Records, ...	XIII.	„	XV.	1
	also of a warrant relating to a convict who is transferred to the custody of a different officer, ...	„		„	2
	of original papers sent by Criminal Judges and Zilla Magistrates to the Suddur Foujdary Udalut to be retained,	„		XXIX.	1
	convicts entitled to copies of the sentence, and of any Document recorded on the trial, ...	„		XXXVIII.	6
	if a Baharwuttya have been banished and the same recalled he is entitled to an authenticated copy of the certificate of recal, ...	XII.	„	XXXIX.	4
	of the oath of qualification taken by a Collector of Land Revenue to be recorded in the Zilla Court and also transmitted to Government, ...	XVI.	„	III.	3
	of accounts or records kept by a Village Accountant, to be furnished to such Officers as the Collector may direct,	„		XXII.	2
	may be made by those concerned and the Collector must authenticate them provided they be on the proper stamped paper, ...	„		XXIII.	2
	of Land Revenue Accounts for the current year to be furnished to occupants of land by Tullatees, ...	XVII.	„	XV.	2
	of Decree of Collector in Civil Suits cognizable by him to be furnished to each party within ten days after its date on furnishing stamped paper, (Appendix F. XVIII.,)	„		XXIII.	1
	of Record of Collector in examining claims to exemption from payment of Land Revenue to be given to the party,	„		XLIV.	2
	of sentence and proceedings of Courts Martial to be furnished to the party tried,	XXII.	„	X.	3
Coroner - -	see "*Inquest.*"				
Corporal -	injury or suffering indirectly produced, how punishable, ...	XIV.	„	XXIX.	3
Corpse - -	if murder be suspected not to be buried or burned until the District Police Officer permits, ...	XII.	„	LII.	3
Corruption -	charges of corruption against European Civil Officers to be reported to Government by the Zilla Judge, ...	II.	„	XXV.	1
	if committed by a Native Officer belonging to a Civil or Criminal Court, see "*Extortion,*" "*Presents,*" "*Misconduct.*"				

		REG.		SECT.	CLAUSE.
Co-sharer -	see "*Share.*"				
Costs - -	of a Law Suit in which the Plaintiff is a Pauper, how defrayed, ...	VI.	1827.	VI. to IX.	
	Defendant entitled to costs if the Suit is struck off the file for non-appearance of the Plaintiff, ...	IV.	„	XXI.	1
	of summoning witnesses in Civil Suits,	„		XXXII.	3
	a co-heir admitted to join in a Civil Suit to pay a share of the costs, ...	„		XLVII.	2
	what charges are to be included in the costs of a Law Suit, ...	„		LVII.	1
	to be paid in the first instance by the party in whose behalf incurred, ...	„		„	2
	by whom to be defrayed finally,	„		LVIII.	
	of an Arbitration Suit, how determined,	VII.	„	IX.	1
	of a Law Suit culpably incurred by a Collector of Land Revenue, at the responsibility of that Officer, ...	XVI.	„	VI.	2
	incurred in consequence of a Collector of Land Revenue having attached property of an Officer of his establishment in satisfaction of a demand against him, not to be adjudged against the Collector if the party did not answer the demand in person, even though it were not due,	„		XIV.	4
	to be paid by the appellant against a Collector's decision for payment of Land Revenue on land before exempt, in cases specified, ...	XVII.	„	XLIX and L.	
	on Appeal from the Assessment on houses in Bombay to the Court of Petty Sessions—when taxed, payment of by either party may be ordered by that Court,	XIX.	„	XXI.	1
Council - -	King in, Appeals to; see "*King in Council.*"				
	Governor in, see "*Governor in Council.*"				
Counsel - -	see "*Pleader.*"				
Counterfeiting	a Document, Signature, Seal, or Mark, how punishable, ...	XIV.	„	XVII.	
County - -	Fund--Balance of fees levied in the Court of Petty Sessions and Offices of the Magistrates of Police in Bombay to be paid half yearly to the Sub-Treasurer for the benefit of, ...	XIX.	„	XXXI.	2
Courier - -	see "*Newspaper.*"				
Court - -	of Civil Judicature, see "*Suddur Dewanny,*" "*Zilla,*" "*Commissioner.*"				
	for recovering debts from British subjects,	II.	„	Chap. V.	
	when the term "Court" is used indefinitely how to be understood, ...	IV.	„	I.	1
	on what days Courts of Civil Judicature are to be open, ...	III.	„	I.	
	ex-official communications with parties forbidden, ...	„		II.	
	in what cases Civil Courts may take cognizance of matters which constitute Criminal offences, ...	XIV.	„	II.	
	Kucherries of offices of Collectors constituted Civil Courts for temporary purposes, ...	XVII.	„	XXXII.	2
				XLIII.	1
	process of, in certain cases, within Military Cantonments, ...	XXII.	„	XXXIV.	
	of Criminal Judicature, see "*Suddur Foujdary,*" "*Circuit,*" "*Special,*" "*Criminal Judge,*" "*Magistrate,*" general functions of, described, ...	XIII.	„	I.	

		REG.	SECT.	CLAUSE.
Court - -	of Requests at the Presidency, see Court of "*Requests.*"			
	of Petty Sessions in Bombay, see "*Petty Sessions.*"			
Courts Martial	Jurisdiction over British born subjects,	XXII. 1827.	XXVIII.	5
	Native General—for the trial of persons specified, how convened—occasional delegation of the Commander in Chief's power of convening Courts and revising sentences, ...	,,	I.	
	constitution of—number requisite to pass sentence of death, ...	,,	II.	
	Jurisdiction over whom, ...	,,	III.	1
	how far such persons subject to Civil Jurisdiction, ...	,,	,,	2 & 3
	proceedings of, in offences against Military discipline, ...	,,	IV.	
	attendance and liabilities of witnesses before, ...	,,	V.	
	sentences when executed by Civil Authority, ...	,,	VI.	
	certain persons in what cases to be tried by, for murder, robbery or serious offences, ...	,,	IX.	1
	in other cases by the ordinary Criminal Courts, ...	,,	,,	2
	punishments awarded by, how commuted by the Commander in Chief, and confirmed by Government, ...	,,	X.	1
	sentences of death and transportation in what cases requiring the confirmation of the Commander in Chief and Government, ...	,,	,,	2
	copy of the proceedings and sentence to be furnished to the prisoner, ...	,,	,,	3
	execution of the sentence of transportation and confinement through the Criminal Judge or other Civil Magistrate,	,,	,, XIV.	4
	certain persons may be tried by, for embezzling or damaging Military Stores—punishment of do.	,,	XI.	
	perjury or false testimony by whom cognizable before general or regimental Court Martial, ...	,,	XII.	
	no second trial to be held on persons tried by Court Martial, and persons tried by the Civil Magistrate not to be punished by Court Martial for the same offence otherwise than by cashiering, ...	,,	XIII.	
	false testimony before, how punishable,	,,	XV.	
	other offences punishable by the Civil Authority, ...	,,	Chap. III.	
	prosecution for embezzlement or damage of Military Stores ascertained by Court Martial, ...	,,	XX.	
	punishment of camp followers during a march, ...	,,	Chap. VI.	
Court of Requests -	Military—Jurisdiction over whom,	,,	III.	1
	how far such persons subject to Civil Jurisdiction, ...	,,	,,	2 & 3
	actions for debt and personal actions not exceeding 400 Rupees cognizable by, if beyond the jurisdiction of the Court of Requests at Bombay, ...	,,	VII.	1
	see	,,	XXXII.	

		REG.		SECT.	CLAUSE.
Court of Requests -	how to be composed, ...	XXII.	1827.	VII.	2
	oath, forms, attendance of witnesses, execution of decree, by stoppages, sale of effects and imprisonment under two months, ...	„		„	3
Courtesy -	forms of to be observed on the trial of a Landholder before a Court of Circuit or Special Court, ...	„		VIII.	
	or on the trial of his relations,	XV.	„	XVIII.	
Covenanted Servant	see "*Officers.*"	„		XX.	
Creditor -	see "*Plaintiff.*"				
	of a Judge, Magistrate, Register, or their Assistants, precluded from being employed in situations subordinate to them,	XXIII.	„	II.	
Crimes - -	in general, how defined, ...	XIV.	„	I.	1
	for particulars, see "*Offence.*"				
Criminal -	offences in general, how defined,	„		Chap. I.	
	for particulars, see "*Offence.*"				
	Courts of Criminal Judicature see "*Suddur Foujdary,*" "*Special,*" *Circuit,*" "*Criminal Judge,*" "*Magistrate.*"				
Criminal Judge	local Police Jurisdiction of the Criminal Judge, ...	XII.	„	II.	
	offenders to be forwarded for trial by the Zilla Magistrate, ...	„		XII.	
	the Zilla Civil Judge to officiate as such and to hold a Court for the trial of offences, and of what nature, its station, which may be altered temporarily with consent of the Suddur Foujdary Udalut, ...	XIII.	„	VII.	1
	to qualify by oath, ...	„		„	2
	to use a seal, its size and inscription,	„		„	3
	the Assistants to the Zilla Judge to officiate as his Assistants, qualifying by oath, ...	„		VIII.	1
	how the Assistants are to act during his absence, ...	„		„	2
	ministerial and Law Officers of the Zilla Civil Court to officiate in the Criminal Court, qualifying by oath, declaration, or security, ...	„		„	3
	unless the duties require separate persons to be appointed, ...	„		„	4
	how they are punishable for misconduct,	„		X.	
	what offences he is to try, and what to commit for trial before the Court of Circuit,	„		XII.	2
	what offences he may delegate the trial of to his Assistants, ...	„		„	3
	retaining the power of resuming them, and how the Assistants may be employed in general, ...	„		„	4
	to obey the instructions and execute the process of a superior Court,	„		„	5
	what extent of punishment he may award,	„		XIII.	1
	if imprisonment for more than two years it must be confirmed by the Suddur Foujdary Udalut, ...	„		„	2
	but in cases of undue revenue exactions, then if for more than five years,	XVII.	„	XVI.	4
	on what days the Court is to be closed,	XIII.	„	IX.	1
	except for particular reasons, ...	„		„	2
	how proceedings are to be recorded,	„		XIV.	

		REG.		SECT.	CLAUSE.
Court of Requests -	how to be composed, ...	XXII.	1827.	VII.	2
	oath, forms, attendance of witnesses, execution of decree, by stoppages, sale of effects and imprisonment under two months, ...	„		„	3
Courtesy -	forms of to be observed on the trial of a Landholder before a Court of Circuit or Special Court, ...	„		VIII.	
	or on the trial of his relations,	XV.	„	XVIII.	
Covenanted Servant	see "*Officers.*"	„		XX.	
Creditor -	see "*Plaintiff.*"				
	of a Judge, Magistrate, Register, or their Assistants, precluded from being employed in situations subordinate to them,	XXIII.	„	II.	
Crimes - -	in general, how defined, ...	XIV.	„	I.	1
	for particulars, see "*Offence.*"				
Criminal -	offences in general, how defined,	„		Chap. I.	
	for particulars, see "*Offence.*"				
	Courts of Criminal Judicature see "*Suddur Foujdary,*" "*Special,*" *Circuit,*" "*Criminal Judge,*" "*Magistrate.*"				
Criminal Judge	local Police Jurisdiction of the Criminal Judge, ...	XII.	„	II.	
	offenders to be forwarded for trial by the Zilla Magistrate, ...	„		XII.	
	the Zilla Civil Judge to officiate as such and to hold a Court for the trial of offences, and of what nature, its station, which may be altered temporarily with consent of the Suddur Foujdary Udalut, ...	XIII.	„	VII.	1
	to qualify by oath, ...	„		„	2
	to use a seal, its size and inscription,	„		„	3
	the Assistants to the Zilla Judge to officiate as his Assistants, qualifying by oath, ...	„		VIII.	1
	how the Assistants are to act during his absence, ...	„		„	2
	ministerial and Law Officers of the Zilla Civil Court to officiate in the Criminal Court, qualifying by oath, declaration, or security, ...	„		„	3
	unless the duties require separate persons to be appointed, ...	„		„	4
	how they are punishable for misconduct,	„		X.	
	what offences he is to try, and what to commit for trial before the Court of Circuit,	„		XII.	2
	what offences he may delegate the trial of to his Assistants, ...	„		„	3
	retaining the power of resuming them, and how the Assistants may be employed in general, ...	„		„	4
	to obey the instructions and execute the process of a superior Court,	„		„	5
	what extent of punishment he may award,	„		XIII.	1
	if imprisonment for more than two years it must be confirmed by the Suddur Foujdary Udalut, ...	„		„	2
	but in cases of undue revenue exactions, then if for more than five years,	XVII.	„	XVI.	4
	on what days the Court is to be closed,	XIII.	„	IX.	1
	except for particular reasons, ...	„		„	2
	how proceedings are to be recorded,	„		XIV.	

		REG.		SECT.	CLAUSE.
Court of Requests -	how to be composed, ...	XXII.	1827.	VII.	2
	oath, forms, attendance of witnesses, execution of decree, by stoppages, sale of effects and imprisonment under two months, ...	„		„	3
		„		VIII.	
Courtesy -	forms of to be observed on the trial of a Landholder before a Court of Circuit or Special Court, ...	XV.	„	XVIII.	
	or on the trial of his relations,	„		XX.	
Covenanted Servant	see "*Officers.*"				
Creditor -	see "*Plaintiff.*"				
	of a Judge, Magistrate, Register, or their Assistants, precluded from being employed in situations subordinate to them,	XXIII.	„	II.	
Crimes - -	in general, how defined, ...	XIV.	„	I.	1
	for particulars, see "*Offence.*"				
Criminal -	offences in general, how defined,	„		Chap. I.	
	for particulars, see "*Offence.*"				
	Courts of Criminal Judicature see "*Suddur Foujdary,*" "*Special,*" *Circuit,*" "*Criminal Judge,*" "*Magistrate.*"				
Criminal Judge	local Police Jurisdiction of the Criminal Judge, ...	XII.	„	II.	
	offenders to be forwarded for trial by the Zilla Magistrate, ...	„		XII.	
	the Zilla Civil Judge to officiate as such and to hold a Court for the trial of offences, and of what nature, its station, which may be altered temporarily with consent of the Suddur Foujdary Udalut, ...	XIII.	„	VII.	1
	to qualify by oath, ...	„		„	2
	to use a seal, its size and inscription,	„		„	3
	the Assistants to the Zilla Judge to officiate as his Assistants, qualifying by oath, ...	„		VIII.	1
	how the Assistants are to act during his absence, ...	„		„	2
	ministerial and Law Officers of the Zilla Civil Court to officiate in the Criminal Court, qualifying by oath, declaration, or security, ...	„		„	3
	unless the duties require separate persons to be appointed, ...	„		„	4
	how they are punishable for misconduct,	„		X.	
	what offences he is to try, and what to commit for trial before the Court of Circuit,	„		XII.	2
	what offences he may delegate the trial of to his Assistants, ...	„		„	3
	retaining the power of resuming them, and how the Assistants may be employed in general, ...	„		„	4
	to obey the instructions and execute the process of a superior Court,	„		„	5
	what extent of punishment he may award,	„		XIII.	1
	if imprisonment for more than two years it must be confirmed by the Suddur Foujdary Udalut, ...	„		„	2
	but in cases of undue revenue exactions, then if for more than five years,	XVII.	„	XVI.	4
	on what days the Court is to be closed,	XIII.	„	IX.	1
	except for particular reasons, ...	„		„	2
	how proceedings are to be recorded,	„		XIV.	

		REG.		SECT.	CLAUSE.
Court of Requests -	how to be composed, ...	XXII.	1827.	VII.	2
	oath, forms, attendance of witnesses, execution of decree, by stoppages, sale of effects and imprisonment under two months, ...	„		„	3
Courtesy -	forms of to be observed on the trial of a Landholder before a Court of Circuit or Special Court, ...	„		VIII.	
	or on the trial of his relations,	XV.	„	XVIII.	
Covenanted Servant	see "*Officers.*"	„		XX.	
Creditor -	see "*Plaintiff.*"				
	of a Judge, Magistrate, Register, or their Assistants, precluded from being employed in situations subordinate to them,	XXIII.	„	II.	
Crimes - -	in general, how defined, ...	XIV.	„	I.	1
	for particulars, see "*Offence.*"				
Criminal -	offences in general, how defined,	„		Chap. I.	
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	Courts of Criminal Judicature see "*Suddur Foujdary,*" "*Special,*" *Circuit,*" "*Criminal Judge,*" "*Magistrate.*"				
Criminal Judge	local Police Jurisdiction of the Criminal Judge, ...	XII.	„	II.	
	offenders to be forwarded for trial by the Zilla Magistrate, ...	„		XII.	
	the Zilla Civil Judge to officiate as such and to hold a Court for the trial of offences, and of what nature, its station, which may be altered temporarily with consent of the Suddur Foujdary Udalut, ...	XIII.	„	VII.	1
	to qualify by oath, ...	„		„	2
	to use a seal, its size and inscription,	„		„	3
	the Assistants to the Zilla Judge to officiate as his Assistants, qualifying by oath, ...	„		VIII.	1
	how the Assistants are to act during his absence, ...	„		„	2
	ministerial and Law Officers of the Zilla Civil Court to officiate in the Criminal Court, qualifying by oath, declaration, or security, ...	„		„	3
	unless the duties require separate persons to be appointed, ...	„		„	4
	how they are punishable for misconduct,	„		X.	
	what offences he is to try, and what to commit for trial before the Court of Circuit,	„		XII.	2
	what offences he may delegate the trial of to his Assistants, ...	„		„	3
	retaining the power of resuming them, and how the Assistants may be employed in general, ...	„		„	4
	to obey the instructions and execute the process of a superior Court,	„		„	5
	what extent of punishment he may award,	„		XIII.	1
	if imprisonment for more than two years it must be confirmed by the Suddur Foujdary Udalut, ...	„		„	2
	but in cases of undue revenue exactions, then if for more than five years,	XVII.	„	XVI.	4
	on what days the Court is to be closed,	XIII.	„	IX.	1
	except for particular reasons, ...	„		„	2
	how proceedings are to be recorded,	„		XIV.	

		REG.		SECT.	CLAUSE.
Court of Requests -	how to be composed, ...	XXII.	1827.	VII.	2
	oath, forms, attendance of witnesses,	„		„	3
	execution of decree, by stoppages, sale of effects and imprisonment under two months, ...	„		VIII.	
Courtesy -	forms of to be observed on the trial of a Landholder before a Court of Circuit or Special Court, ...	XV.	„	XVIII.	
	or on the trial of his relations,	„		XX.	
Covenanted Servant	see "*Officers.*"				
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	Courts of Criminal Judicature see "*Suddur Foujdary,*" "*Special,*" *Circuit,*" "*Criminal Judge,*" "*Magistrate.*"				
Criminal Judge	local Police Jurisdiction of the Criminal Judge, ...	XII.	„	II.	
	offenders to be forwarded for trial by the Zilla Magistrate, ...	„		XII.	
	the Zilla Civil Judge to officiate as such and to hold a Court for the trial of offences, and of what nature, its station, which may be altered temporarily with consent of the Suddur Foujdary Udalut, ...	XIII.	„	VII.	1
	to qualify by oath, ...	„		„	2
	to use a seal, its size and inscription,	„		„	3
	the Assistants to the Zilla Judge to officiate as his Assistants, qualifying by oath, ...	„		VIII.	1
	how the Assistants are to act during his absence, ...	„		„	2
	ministerial and Law Officers of the Zilla Civil Court to officiate in the Criminal Court, qualifying by oath, declaration, or security, ...	„		„	3
	unless the duties require separate persons to be appointed, ...	„		„	4
	how they are punishable for misconduct,	„		X.	
	what offences he is to try, and what to commit for trial before the Court of Circuit,	„		XII.	2
	what offences he may delegate the trial of to his Assistants, ...	„		„	3
	retaining the power of resuming them, and how the Assistants may be employed in general, ...	„		„	4
	to obey the instructions and execute the process of a superior Court,	„		„	5
	what extent of punishment he may award,	„		XIII.	1
	if imprisonment for more than two years it must be confirmed by the Suddur Foujdary Udalut, ...	„		„	2
	but in cases of undue revenue exactions, then if for more than five years,	XVII.	„	XVI.	4
	on what days the Court is to be closed,	XIII.	„	IX.	1
	except for particular reasons, ...	„		„	2
	how proceedings are to be recorded,	„		XIV.	

		REG.		SECT.	CLAUSE.
Court of Requests -	how to be composed, ...	XXII.	1827.	VII.	2
	oath, forms, attendance of witnesses,	„		„	3
	execution of decree, by stoppages, sale of effects and imprisonment under two months, ...	„		VIII.	
Courtesy -	forms of to be observed on the trial of a Landholder before a Court of Circuit or Special Court, ...	XV.	„	XVIII.	
	or on the trial of his relations,	„		XX.	
Covenanted Servant	see "*Officers.*"				
Creditor -	see "*Plaintiff.*"				
	of a Judge, Magistrate, Register, or their Assistants, precluded from being employed in situations subordinate to them,	XXIII.	„	II.	
Crimes - -	in general, how defined, ...	XIV.	„	I.	1
	for particulars, see "*Offence.*"				
Criminal -	offences in general, how defined,	„		Chap. I.	
	for particulars, see "*Offence.*"				
	Courts of Criminal Judicature see "*Suddur Foujdary,*" "*Special,*" *Circuit,*" "*Criminal Judge,*" "*Magistrate.*"				
Criminal Judge	local Police Jurisdiction of the Criminal Judge, ...	XII.	„	II.	
	offenders to be forwarded for trial by the Zilla Magistrate, ...	„		XII.	
	the Zilla Civil Judge to officiate as such and to hold a Court for the trial of offences, and of what nature, its station, which may be altered temporarily with consent of the Suddur Foujdary Udalut, ...	XIII.	„	VII.	1
	to qualify by oath, ...	„		„	2
	to use a seal, its size and inscription,	„		„	3
	the Assistants to the Zilla Judge to officiate as his Assistants, qualifying by oath, ...	„		VIII.	1
	how the Assistants are to act during his absence, ...	„		„	2
	ministerial and Law Officers of the Zilla Civil Court to officiate in the Criminal Court, qualifying by oath, declaration, or security, ...	„		„	3
	unless the duties require separate persons to be appointed, ...	„		„	4
	how they are punishable for misconduct,	„		X.	
	what offences he is to try, and what to commit for trial before the Court of Circuit,	„		XII.	2
	what offences he may delegate the trial of to his Assistants, ...	„		„	3
	retaining the power of resuming them, and how the Assistants may be employed in general, ...	„		„	4
	to obey the instructions and execute the process of a superior Court,	„		„	5
	what extent of punishment he may award,	„		XIII.	1
	if imprisonment for more than two years it must be confirmed by the Suddur Foujdary Udalut, ...	„		„	2
	but in cases of undue revenue exactions, then if for more than five years,	XVII.	„	XVI.	4
	on what days the Court is to be closed,	XIII.	„	IX.	1
	except for particular reasons, ...	„		„	2
	how proceedings are to be recorded,	„		XIV.	

		REG.	SECT.	CLAUSE.
Death - -	may be attended with certain exposure for the purpose of creating impression,	XIV. 1827.	IV.	2
	how the corpse is to be disposed of, and of hanging in chains, ...	„	„	3
	how the gibbet is to be disposed of,	„	„	4
	Brahmins and Females in what cases exempt from capital punishment,	„	„	5
	sentence of, by Court Martial, how commuted and confirmed, ...	XXII. „	X.	
	causing, see "*Murder*," "*Homicide*."			
	of a prisoner in the Criminal Jail, how to be reported by the Nazier, ...	XIII. „	XLIII.	3
	of a public Officer, in such case how his official functions are to be discharged, see "*Absence*," or the respective Officer.			
Debt - - -	certain actions of against persons specified to be cognizable by Military Courts of Requests or Superintendent of Bazars, ...	XXII. „	VII. XXXII.	1
	disposal of penalty for making false musters, ...	„	XVIII.	
	acknowledgment of—not full proof in case of the production of contrary proof,—or probability in case of a ryot under specified circumstances, ...	V. „	IX.	
Debtors - -	see "*Defendant*."			
Decision - -	of a Civil Suit, see "*Judgment*," "*Decree*."			
	of Arbitrators, see "*Arbitration*."			
	of a Special Court, to be regulated by a Majority of Members, ...	XIII. „	XXIV.	3
	also in the Suddur Udalut, ...	II. „	IX.	
	and in the Suddur Foujdary Udalut, the Chief Judge having in some cases the casting vote, ...	XIII. „	XXVIII.	
Declaration	solemn, falsely making, or breach of; see "*Perjury*," how punishable, ...	XIV. „	XVI.	
	solemn declaration to be made by Seristadars and Recordkeepers of the Suddur Dewanny Udalut, ...	II. „	XII.	4
	and by the Law Officers of the said Court,	„	XIII.	2
	and by the Zilla Law Officers, ...	„	XXIX.	2
	and by Zilla Nazirs, ...	„	XXX.	1
	and by the Nazir to the Suddur Dewanny Udalut, ...	„	XIV.	3
	and by Zilla Seristadars, ...	„	XXXI.	1
	and by Zilla Recordkeepers, ...	„	XXXII.	2
	and by Zilla Native Judicial Commissioners, ...	„	XL.	
	and by the Law Officers, Nazir, Seristadars, and Recordkeepers of the Suddur Foujdary Udalut, ...	XIII. „	III.	2
	and by those acting in the Special Court,	„	IV.	3
	and in a Court of Circuit, ...	„	VI.	1
	also in the Criminal Judge's Court,	„	VIII.	3
	of Pauperism, ...	VI. „	I.	2
	to be verified by solemn declaration or oath, ...	„	II.	1
Decree - -	in a Civil Suit, see "*Judgment*."			
	the Judgment of the Court to be expressed in a written Decree, ...	IV. „	LX.	1
	what it is to contain, .. .	„	„	2
	lists of exhibits and costs to be added,	„	„	5
	on what principles to be made, ...	„	XXVI.	

		REG.	SECT.	CLAUSE.
Death - -	may be attended with certain exposure for the purpose of creating impression,	XIV. 1827.	IV.	2
	how the corpse is to be disposed of, and of hanging in chains, ...	„	„	3
	how the gibbet is to be disposed of,	„	„	4
	Brahmins and Females in what cases exempt from capital punishment,	„	„	5
	sentence of, by Court Martial, how commuted and confirmed, ...	XXII. „	X.	
	causing, see "*Murder*," "*Homicide*."			
	of a prisoner in the Criminal Jail, how to be reported by the Nazier, ...	XIII. „	XLIII.	3
	of a public Officer, in such case how his official functions are to be discharged, see "*Absence*," or the respective Officer.			
Debt - - -	certain actions of against persons specified to be cognizable by Military Courts of Requests or Superintendent of Bazars, ...	XXII. „	VII. XXXII.	1
	disposal of penalty for making false musters, ...	„	XVIII.	
	acknowledgment of—not full proof in case of the production of contrary proof,—or probability in case of a ryot under specified circumstances, ...	V. „	IX.	
Debtors - -	see "*Defendant*."			
Decision - -	of a Civil Suit, see "*Judgment*," "*Decree*."			
	of Arbitrators, see "*Arbitration*."			
	of a Special Court, to be regulated by a Majority of Members, ...	XIII. „	XXIV.	3
	also in the Suddur Udalut, ...	II. „	IX.	
	and in the Suddur Foujdary Udalut, the Chief Judge having in some cases the casting vote, ...	XIII. „	XXVIII.	
Declaration	solemn, falsely making, or breach of; see "*Perjury*," how punishable, ...	XIV. „	XVI.	
	solemn declaration to be made by Seristadars and Recordkeepers of the Suddur Dewanny Udalut, ...	II. „	XII.	4
	and by the Law Officers of the said Court,	„	XIII.	2
	and by the Zilla Law Officers, ...	„	XXIX.	2
	and by Zilla Nazirs, ...	„	XXX.	1
	and by the Nazir to the Suddur Dewanny Udalut, ...	„	XIV.	3
	and by Zilla Seristadars, ...	„	XXXI.	1
	and by Zilla Recordkeepers, ...	„	XXXII.	2
	and by Zilla Native Judicial Commissioners, ...	„	XL.	
	and by the Law Officers, Nazir, Seristadars, and Recordkeepers of the Suddur Foujdary Udalut, ...	XIII. „	III.	2
	and by those acting in the Special Court,	„	IV.	3
	and in a Court of Circuit, ...	„	VI.	1
	also in the Criminal Judge's Court,	„	VIII.	3
	of Pauperism, ...	VI. „	I.	2
	to be verified by solemn declaration or oath, ...	„	II.	1
Decree - -	in a Civil Suit, see "*Judgment*."			
	the Judgment of the Court to be expressed in a written Decree, ...	IV. „	LX.	1
	what it is to contain, .. .	„	„	2
	lists of exhibits and costs to be added,	„	„	5
	on what principles to be made, ...	„	XXVI.	

		REG.		SECT.	CLAUSE.
Decree - -	copy of, by Collector in Civil Suit, to be furnished to each party within ten days after date on providing stamped paper, (Appendix F. XVIII.,)	XVII.	1827.	XXXIII.	1
	execution of, by do. ten days after date on verbal application by the party interested, in default of security to satisfy the Decree, or Appeal by the opposite party,	„	„	„	
	of the Revenue Judge at Bombay,	XIX.	„	VII.	8
	do. how appealable, ...	„		VIII.	
	execution of by Military Courts of Requests, ...	XXII.	„	„	
	of the Superintendent of Bazars, in certain cases of debt, ...	„		XXXII.	
Default - -	of the appearance of an appellant or respondent in an Appeal, attended by what consequences, ...	IV.	„	LXXXIX.	
	of the appearance of a Plaintiff in an original suit, attended by what consequences, ...	„		XXI.	
	and of the appearance of a Defendant, or of either party filing his readings, .	„		XIX. & XXII.	
	of the appearance of a party in an Arbitration Suit, not to stay proceedings,	VII.	„	V.	
	of the appearance of a person bound over or enjoined to attend at a Court of Session to be reported to the Court,	XIII.	„	XIX.	2
	the measures consequent thereto to be directed by the Court, ...	„		XX.	3
Defaulter -	in Land Revenue, how to be proceeded with, ...	XVII.	„	Ch III. & V.	
	in relations to farmers of Land Revenue,	„		Chap. VI.	
	in Land Revenue of Bombay, ...	XIX.	„	III. and IV.	
Defence - -	of person or property, a justifiable cause for killing, ...	XIV.	„	XXVI.	3
	of a prisoner on trial at a Court of Session, what facilities the Criminal Judge is to furnish, ...	XIII.	„	XVIII.	
	of prisoners on trial in general, how to be recorded, ...	„		XXXVII.	1
	what facilities to be furnished, ...	„		XXXVIII.	3
	Counsel permitted, ...	„		„	1
Defendant -	a Defendant may be admitted to plead in Formâ Pauperis, ...	VI.	„	X.	
	how Defendants are to be summoned,	IV.	„	V.	
	what process to be adopted if not found,	„		VI.	
	in what cases security for appearance may be demanded from a Defendant,	„		VII.	1, 2, 3
	a deposit of property to be accepted for security, ...	„		„	4
	in failure of security the Defendant may be imprisoned, ...	„		„	6
	a Defendant may procure himself to be removed from the custody of a Native Commissioner to the Suddur Station,	„		„	7
	how an imprisoned Defendant is to be subsisted previous to a Decree being passed,	„		„	8
	a Defendant may be bound over to refrain from disposing of his property, or it may be sequestrated, ...	„		VIII.	
	immovable property may be secured by prohibiting the alienation of it,	„		„	9,10,11
	imprisoned Defendants shall have their suits heard in priority, without regard to the order of the file, ...	„		VII.	6

		REG.	SECT.	CLAUSE.
Decree - -	copy of, by Collector in Civil Suit, to be furnished to each party within ten days after date on providing stamped paper, (Appendix F. XVIII.,)	XVII. 1827.	XXXIII.	1
	execution of, by do. ten days after date on verbal application by the party interested, in default of security to satisfy the Decree, or Appeal by the opposite party,	„	„	
	of the Revenue Judge at Bombay,	XIX. „	VII.	8
	do. how appealable, ...	„	VIII.	
	execution of by Military Courts of Requests, ...	XXII. „	„	
	of the Superintendent of Bazars, in certain cases of debt, ...	„	XXXII.	
Default - -	of the appearance of an appellant or respondent in an Appeal, attended by what consequences, ...	IV. „	LXXXIX.	
	of the appearance of a Plaintiff in an original suit, attended by what consequences, ...	„	XXI.	
	and of the appearance of a Defendant, or of either party filing his readings, .	„	XIX. & XXII.	
	of the appearance of a party in an Arbitration Suit, not to stay proceedings,	VII. „	V.	
	of the appearance of a person bound over or enjoined to attend at a Court of Session to be reported to the Court,	XIII. „	XIX.	2
	the measures consequent thereto to be directed by the Court, ...	„	XX.	3
Defaulter -	in Land Revenue, how to be proceeded with, ...	XVII. „	Ch III. & V.	
	in relations to farmers of Land Revenue,	„	Chap. VI.	
	in Land Revenue of Bombay, ...	XIX. „	III. and IV.	
Defence - -	of person or property, a justifiable cause for killing, ...	XIV. „	XXVI.	3
	of a prisoner on trial at a Court of Session, what facilities the Criminal Judge is to			
Deleterious	furnish, ...	XIII. „	XVIII.	
	of prisoners on trial in general, how to be recorded, ...	„	XXXVII.	1
	what facilities to be furnished, ...	„	XXXVIII.	3
	Counsel permitted, ...	„	„	1
Defendant -	a Defendant may be admitted to plead in Formâ Pauperis, ...	VI. „	X.	
	how Defendants are to be summoned,	IV. „	V.	
	what process to be adopted if not found,	„	VI.	
	in what cases security for appearance may be demanded from a Defendant,	„	VII.	1, 2, 3
	a deposit of property to be accepted for security, ...	„	„	4
	in failure of security the Defendant may be imprisoned, ...	„	„	6
	a Defendant may procure himself to be removed from the custody of a Native Commissioner to the Suddur Station,	„	„	7
	how an imprisoned Defendant is to be subsisted previous to a Decree being passed,	„	„	8
	a Defendant may be bound over to refrain from disposing of his property, or it may be sequestrated, ...	„	VIII.	
	immovable property may be secured by prohibiting the alienation of it,	„	„	9,10,11
	imprisoned Defendants shall have their suits heard in priority, without regard to the order of the file, ...	„	VII.	6

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Default - -	of the appearance of an appellant or respondent in an Appeal, attended by what consequences, ...	IV.	„	LXXXIX.	
	of the appearance of a Plaintiff in an original suit, attended by what consequences, ...	„		XXI.	
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	of the appearance of a party in an Arbitration Suit, not to stay proceedings,	VII.	„	V.	
	of the appearance of a person bound over or enjoined to attend at a Court of Session to be reported to the Court,	XIII.	„	XIX.	2
	the measures consequent thereto to be directed by the Court, ...	„		XX.	3
Defaulter -	in Land Revenue, how to be proceeded with, ...	XVII.	„	Ch III. & V.	
	in relations to farmers of Land Revenue,	„		Chap. VI.	
	in Land Revenue of Bombay, ...	XIX.	„	III. and IV.	
Defence - -	of person or property, a justifiable cause for killing, ...	XIV.	„	XXVI.	3
	of a prisoner on trial at a Court of Session, what facilities the Criminal Judge is to furnish, ...	XIII.	„	XVIII.	
	of prisoners on trial in general, how to be recorded, ...	„		XXXVII.	1
	what facilities to be furnished, ...	„		XXXVIII.	3
	Counsel permitted, ...	„		„	1
Defendant -	a Defendant may be admitted to plead in Formâ Pauperis, ...	VI.	„	X.	
	how Defendants are to be summoned,	IV.	„	V.	
	what process to be adopted if not found,	„		VI.	
	in what cases security for appearance may be demanded from a Defendant,	„		VII.	1, 2, 3
	a deposit of property to be accepted for security, ...	„		„	4
	in failure of security the Defendant may be imprisoned, ...	„		„	6
	a Defendant may procure himself to be removed from the custody of a Native Commissioner to the Suddur Station,	„		„	7
	how an imprisoned Defendant is to be subsisted previous to a Decree being passed,	„		„	8
	a Defendant may be bound over to refrain from disposing of his property, or it may be sequestrated, ...	„		VIII.	
	immovable property may be secured by prohibiting the alienation of it,	„		„	9,10,11
	imprisoned Defendants shall have their suits heard in priority, without regard to the order of the file, ...	„		VII.	6

		REG.		SECT.	CLAUSE.
Distilleries -	Suddur—sites of, to be enclosed as chosen by Collectors under instructions from Government, ...	XXI.	1827.	LVI.	1
	to be under superintendence of a Native Darogha, ...		„	„	2
	instructions of Collector for internal management, ...		„	„	3
	any person may manufacture spirits therein but raw mowra subjected to restrictions, ...		„	LVII.	1 & 2
	spirituous liquor removable for consumption or retail sale—its strength, and duties payable, ...		„	„	3, 4, 5
	licenses for retail sale of spirits manufactured at—amount of duty—passes for liquor removed, and for extra supplies,		„	LXIII.	
	importation of spirits within six miles of a Suddur Distillery, prohibited,		„	LXV.	1
	punishment for removing spirits from do.		„	LXVIII.	
Distraint -	may be resorted to, to realize the amount of a witness's expenses from the party,	IV.	„	XLV.	2
	implements and cattle to a certain degree exempted from distraint in Civil Suits,		„	LXII.	2
	in the levy of fines and penalties incurred on account of the Assessment on shops and stalls, licenses to erect temporary sheds, to use country music, and give public notices in Bombay, ...	XIX.	„	XIV. and XV.	
	in the levy of forfeitures on the Horse and Carriage tax in Bombay, ...		„	XXVI.	1
	in the levy of forfeitures regarding Tobacco, foreign Snuff and Ganza,	XXX.	„	XLII.	
District Police Officer -	the Kumavisdar or Native Collector to perform the functions ex-officio or if there be no such Officer the Magistrate to appoint with the sanction of Government, and furnished with a commission recallable at the pleasure of Government,	XII.	„	V.	
	to be under the Superintendence of the Zilla Magistrate, ...		„	XXII.	1
	and amenable for misconduct in the same way as Revenue Officers, ...		„	„	2
	to superintend subordinate Police Officers,		„	XL.	2
	to report to the Zilla Magistrate, Misconduct of subordinate Police Officers, deficiencies in Police Establishments, and Police Matters in general, ...		„	„	3
	to station the Police Establishments where of most use, ...		„	„	4
	what offences he may try and what punishments he may inflict, ...		„	XLI.	1
	with what forms and records, ... and how witnesses may be compelled to attend and depose, ...		„	„	2
	a complainant entitled always to withdraw his plaint, or make private compromise,		„	„	3
	in particular cases may be invested by Government with more extended authority, ...		„	XLII.	1
	how far the authority may be so extended, and with what forms and records it is to be exercised, ...		„	„	2
	shall seize and forward to the Zilla Magistrate, offenders whom he is not authorized				

		REG.	SECT.	CLAUSE.
District Police Officer -	to try himself, and with what investigation, ...	XII. 1827.	XLIII.	1
	evidence to be also forwarded,			
	in what cases the attendance of witnesses or offenders may be secured by bail,	„	„	2
	in what cases persons likely to disturb the Peace are to be forwarded to the Magistrate, and in what cases the District Police Officer may bind over,	„	„ and XLV.	3 4
	the transmission of a prisoner to the Magistrate not to be delayed more than forty-eight hours, unless for indispensable reasons which must be reported to the Magistrate, ...	„	XLIII.	4
	to investigate serious offences on the spot,	„	XLIV.	1
	to employ Inquests in cases of death from suspicious cause, ...	„	„	2
	to suggest local police rules to the Magistrate, ...	„	XLV.	1
	to keep standards of Weights and Measures, ...	„	„	2
	how to proceed with animals or property found without an owner, ...			
	how to proceed with labourers or dealers refusing to perform their professional offices, ...	„	„	3
	mutually to aid each other, ...			
	may demand and enforce aid from individuals, ...	„	XLVI.	1
	in what cases and how to procure military aid, ...	„	„	2
	to make such returns and keep such records as directed by the Zilla Magistrate, ...	„	XLVII.	
District Revenue Officer	see "*Kumavisdar.*"			
	if the Office be hereditary, it is still to be subordinate to the Collector in discharging such duties as appertain thereto,	XVI.	XVII.	1
	how the incumbent is liable to dismissal,	„	„	2
	if the office be held by co-sharers how the discharge of its functions is to be arranged, ...	„	„	4
	if the incumbent be incapable he may appoint a deputy, ...	„	XVIII.	
	land and allowances attached to the office to be recorded by the Collector,	„	XIX.	
	and not alienable, ...	„	XX.	
Disturbance	in a Court, see "*Contempt.*"			
Disturbing -	the Peace of foreign states—how punishable, ...	XIV. „	XV.	
	how emigrants or aliens so doing may be removed or confined, ...	XI. „	VIII.	
Division - -	of prisoners in the Criminal Jail of the Zilla into classes, to be kept separate from each other, ...	XIII. „	XLIV.	
Divorce - -	of Mohummedans, to be recorded by the Kazees, ...	XXVI. „	VIII.	
Domestic -	servants, how punishable for misconduct,	XII. „	XVIII.	2 & 3
Dows and Dingees	rules regarding, ...	XX. „	XII. Chap. V.	3
Draftsmen - -	Military—not British born subjects, subject to the Jurisdiction of Military Courts,	XXII. „	III.	1
Drawback -	on the re-exportation from Bombay of spirituous liquors, rules regarding,	XXI. „	L. and LI.	

		REG.		SECT.	CLAUSE.
Europeans -	Clerks, in the establishment of a Collector of Land Revenue, see "*Clerks.*"				
	fee on passports issued by the Senior Magistrate of Police at Bombay to,	XIX.	1827.	XXX.	1
	punishment for selling spirituous liquors to, by natives, without permission,	XXII.	„	XLIX. and LI.	2
Evidence -	required in a matter before the Suddur Foujdary Udalut, may be taken by a Criminal Judge or Zilla Magistrate,	XIII.	„	XXIX.	3
	of a deceased witness if already made before competent authority may be received in a Criminal Court, ...		„	XXXIV.	7
	articles required to be produced before a Magistrate as evidence, how to be procured, ...	XII.	„	IX.	4
	how to be procured by a Magistrate, from a Zilla beyond his own Jurisdiction,		„	XV.	1
	of an accomplice, in order to procure it pardon may be granted, .. .		„	XXXIV.	
	what weight it is to have on the trial,		„	XXXV.	2
	a Coroner's Inquest to be received as such, ...		„	XLIV. and LII.	2 1
	of witnesses in Civil or Criminal Courts, see "*Witness.*"				
	parties in Appeals may not adduce new evidence, ...	IV.	„	XC.	1
	but the Court may call for such,		„	„	2
	for purposes and in the manner detailed in,		„	XCI.	
	when such is admitted it must be on definite points and so recorded, ...		„	XCII.	
	how to be procured by Arbitrators,	VII.	„	IV.	2
	how to be taken by Commissions for trying Village Boundary Disputes, ...	X.	„	IX.	
	Interpreters of, ...	IV.	„	XXXVI.	2
	in the Suddur Dewanny Udalut, may be taken by the register, ...		„	XCI.	
	in Civil Suits before the Collector,	XVII. IV.	„ „	XXXII.	2
	in inquiry by the Collector into claims to exemption from payment of Land Revenue, ...	XVII.	„	XLI.	
	to be taken as in a Civil Suit,		„	XLII. and XLIII.	
	exception as to certain deeds not registered within one year after the proclamation specified, ...		„	XLII.	2 to 9
	provisos in favour of the party,		„	XLIII.	2
	in suits before the Revenue Judge at Bombay, ...	XIX.	„	VII.	
	before Native Courts Martial,	XXII.	„	V.	
	before Military Courts of Requests,		„	VII.	3
	before the Superintendent of Bazars,		„	XXV. and XXXII.	
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Execution -	of a Decree, see "*Decree.*"				

		REG.		SECT.	CLAUSE.
Execution -	how to be conducted when the Decree is under Revision, see "*Revision.*"				
	of a sentence of capital punishment, see "*Death.*"				
	of criminal sentences in general, see "*Sentence.*"				
	of a warrant or precept issued by the Sudder Foujdary Udalut, or Court of Circuit to a Criminal Judge, how to be certified, ...	XIII.	1827.	XV.	1 & 3
	of a summons issued by a Magistrate to an offender, ...	XII.	„	IX.	2
	of sentences by Courts Martial,	XXII.	„	VI. X. XIV.	4
Executor -	may administrate to an estate without formal recognition, ...	VIII.	„	I.	
	but he may procure formal recognition,	„		II.	
	in which case a proclamation shall be issued for the information of claimants,	„		„	
	and a certificate given to the executor,	„		III.	
	the said certificate to be on stamped paper,	XVIII.	„	XIX.	
	how a disputed right of Executorship is to be investigated, ...	VIII.	„	IV.	
	if a will exist how it shall be proceeded with, ...	„		V. and VI.	
	what rights the certificate confers.	„		VII.	
	and in what cases it may be annulled,	„		„	2
	the refusal of a certificate by the Judge shall not bar the party from filing suits for claims, ...	„		VIII.	
Exemption -	implements and cattle necessary for labour to be exempt from distraint by Civil Suit, ...	IV.	„	LXII.	2
	of certain persons from the usual Civil Jurisdiction, see "*Nuwab,*" "*Landholder,*" "*Thakore.*"				
	of the houses of persons of respectability from the usual process of search for stolen goods, ...	XII.	„	IX.	4
	of the houses of persons of the higher classes from search by any authority less than a District Police Officer, ...	„		L.	2
	from payment of Land Revenue, see "*Land Revenue.*"				
Exhibits -	in Civil Suits all presented to be inspected but if found objectionable may be rejected, ...	IV.	„	XXIX.	1
	in such case how to be disposed of,	„		„	2
	how exhibits are to be restored to the party producing them, ...	„		XXX.	
	in trials before the Criminal Judge, how recorded, ...	XIII.	„	XIV.	2
Exigency -	see "*Urgency.*"				
Ex-parte -	if a Defendant be absent at the time fixed for trial, it may proceed ex-parte,	IV.	„	XIX. and XXII.	1 1
	in such cases the Plaintiff's Affidavit may be received as evidence, ...	„		„	2
	if a party in an Appeal be not found, a notice to be issued, after which the matter will proceed ex-parte, ...	„		LXXXVIII.	4
	in what cases a Commission for trying Village Boundary Disputes may proceed ex-parte, ...	X.	„	VIII.	3.

		REG.		SECT.	CLAUSE.
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	of Goods, see "*Customs.*"				
Exposition -	of Hindoo or Mohummedan Law, see "*Law Officer.*"				
	to be taken in Criminal cases, under what rules, generally, ...	XIII.	1827.	XXXVIII.	6
	but in trials before a Zilla Magistrate only when the offence concerns religious law,	XII.	„	XIV.	
Exposure -	as a punishment, see "*Public Disgrace.*"				
Expulsion -	from Caste, see "*Caste.*"				
	from a Zilla, of a suspicious character may be ordered by the Magistrate if the party be not a native of the said Zilla and cannot furnish security for good conduct,	„		XXVIII.	1
	with what forms to be conducted,	„		„	2
	punishment for returning, ...	„		„	3
	but the expulsion may be retracted, if so sanctioned by the Suddur Foujdary Udalut, and with what forms, ...	„		„	4
Extenuating	circumstances attending the putting a person to death render the act culpable homicide, ...	XIV.	„	XXVII.	
Extortion -	see "*Misconduct.*"				
	charges of extortion against European Civil Officers to be reported to Government by the Zilla Judge, ...	II.	„	XXV.	1
	committed by Native Officers belonging to Courts of Civil Justice, how to be punished and in what cases receiving presents is to be considered extortion,	„		XXXVI.	
	and committed by Native Officers officiating in Criminal Courts, ...	XIII.	„	X.	
	committed by stamp venders, how punishable, ...	XVIII.	„	VIII.	
	by Police Officers, how punishable,	XII.	„	„	1
	or over Exaction of Revenue, see "*Exaction.*"				
Fabrication	of a Document, Signature, Seal or Mark, how punishable, ...	XIV.	„	XVII.	
False Testimony	see "*Perjury.*"				
False Musters and Certificates -	punishment for furnishing, ...	XXII.	„	„	
False Weights and Measures -	using, within Military Cantonments,	„		XXVI.	
Famine - -	how far it authorizes the sale of children,	XIV.	„	XXXI.	
Farm - -	not to be held by a Collector of Land Revenue or his Assistant, ...	XVI.	„	VII.	2
	nor by a Kumavisdar or Head Revenue Officer of a District, ...	„		XI.	1
	of public revenue, to be effected with individuals by the Collector, with sanction of Government under written agreement,	XVII.	„	XX.	1
	notice to a Head of a Village and proclamation, ...	„		XXI.	
	of Abkarry duties, granted by Collectors of Land Revenue, rules regarding,	XXI.	„	LX. and LXXIII.	
Farmers of Revenue	their power and responsibility,	XVII.	„	Chap. VI.	
	prohibited from increasing the Assessment of the preceding year without application to the Collector—his orders final except in case of a Judicial Decree against him, ...	„		XXII.	

		REG.		SECT.	CLAUSE.
Farmers of Revenue	may be authorized by a Collector, if no security given to employ watchmen to prevent removal of crops—remuneration of watchmen—and rules for punishment of unauthorized removal, ...	XVII.	1827	XXIII.	1 & 2
	Collector or Assistant's decision to be taken on the appropriation of crop in satisfaction of demands in money; (unless with consent of the occupant,)	„		„	3
	may employ Village Havildar in realizing revenue, ...	„		XXIV.	
	receipts for revenue payments and penalties by farmer or his agent,	„		(XV. XVI.) XXV.	
	may adopt compulsory process against defaulters, but only through the Kumavisdar or the Collector—its cessation,	„		XXVI.	
	if compulsory process not permitted, he may file suit against the ryot, (Chapter VIII.,)	„		„ XXXI.	5 3
	arrears of formers years may recover only on suit before the Collector, (Chapter VIII.,)	„		XXVII.	
	on failure in terms of agreement, may be proceeded against by the Collector as a revenue defaulter—or his security, or both, ...	„		XXVIII.	
Fee	see "*Allowance.*"				
	retaining fee to a pleader, ...	II.	„	L.	2, 3, 4
	remuneration for the duties performed,	„		LII. LIII. LIV. and LV.	3
	how recoverable in the case of the client being a Pauper Plaintiff, ...	VI.	„	VII. & VIII.	
	remuneration for an Administrator to an Estate appointed by a Civil Court,	VIII.	„	XI.	
	remuneration for Commissioners appointed by Civil Courts to ascertain local facts,	IV.	„	XXXI.	5
	remuneration for Commissioners appointed to take evidence, ...	„		XLIV.	
	what fees are to be received by Judicial Commissioners when employed as Arbitrators, ...	VII.	„	II.	2
	what fees Kazees are authorized to receive,	XXVI.	„	VII.	
	remuneration to a Mohussal in the Land Revenue Department, ...	XVII.	„	XII.	3
	do. to Village Havildar or Beadle,	„		XIX. and XXIV.	
	institution fee on suits before the Revenue Judge at Bombay, ...	XIX.	„	VII.	1
	fees leviable in the Court of Petty Sessions and Offices of Magistrates of Police,	„		Chap. VI.	
	cases of remission of payment,	„		XXX.	2
	to be received by the Clerk of the Petty Sessions or through persons appointed at the Police Offices—half-yearly accounts to be rendered by him,	„		XXXI.	
	on registry in Collector's Offices of license for retailing certain poisonous substances,	XXI.	„	XLIV.	2
	on issue of passes for coasting vessels by the Collector of Sea Customs,	XX.	„	XXI.	4
Female	witnesses, may be examined by a Commission instead of appearing in Court, and remain veiled, ...	IV.	„	XXXIX.	
	and	XIII.	„	XXXIV.	6

		REG.	SECT.	CLAUSE
Female	in what cases exempt from capital punishment,	XIV. 1827.	IV.	5
	and from hard labour,	„	VII.	3
	slaves, may not be sold if thereby separated from a child under ten years of age, nor for purposes of prostitution,	„	XXXI.	
	risoners in the Criminal Jail of the Zilla, to be kept separate from the male,	XIII. „	XLIV.	1
	apartments of, not to be entered under search warrant for unlicensed stills, &c.	XXI. „	LXVII.	7
Fetters	shall be placed on prisoners sentenced to hard labour, transportation, or death; and may be used to secure others,	XIII. „	XLV.	1
File	the order in which suits stand for hearing on the file shall be set aside in favour of Defendants whose property is sequestrated,	IV. „	IX	2
	or those who are imprisoned,	„	VII.	6
	suits in general shall be heard according to the order in which they stand on the file,	„	XX.	1
	if a Plaintiff do not attend at the time fixed for trial; the suit may be struck off the file,	„	XXI.	1
	the order in which suits stand for hearing on the file shall be set aside in favour of persons prosecuting to establish a right to attached property,	„	LXVII.	3
	also in favour of a party who may be required, and unable, to furnish additional security during the progress of an Appeal,	„	XCIII.	
Fine	a party in a Civil Suit may be fined for not paying his witnesses expenses,	IV. „	XLV.	1
	for contempt of Court, including non-attendance of witnesses and instituting vexatious suits, see *"Contempt."*			
	as a punishment for embezzlement of Military Stores,	XXII. „	XI.	2
	aiding escape of convicts before Courts Martial,	„	XVI.	
	persuasion to desert and concealment of deserter,	„	XVII.	
	making or aiding false musters,	„	XVIII.	
	receiving Military Equipments or Stores,	„	XIX.	
	as a punishment for various offences cognizable by the Superintendent of Bazars,	„	XXVI. and XXVIII.	
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	also see *"Penalty."*			
	as a mode of punishment for a Criminal offence, how conducted,	XIV. „	IX.	
	a period of imprisonment always to be assigned in commutation,	„	„	1
	how the payment in part of a fine is to affect the period of imprisonment in commutation,	„	„	2
	special enactments regarding particular cases to be exceptions to the rules under this head,	„	„	3
	Magistrates may award fines in compensation to the party injured,	XII. „	XIII.	1

		REG.		SECT.	CLAUSE.
Fine - -	in what cases and how to be levied from villages within the boundaries of which robbery has been committed,	XII.	1827.	XXXVII.	
Fines and Penalties - -	for not taking out licenses in Bombay to erect wedding sheds, do., to employ country music without doors, and to give public notices by battakee,	XIX.	„	Chap. II.	
	and surcharges for false statement, delay, or obstruction, as to the Assessment of Carriages and Horses within the Island of Bombay, ...	„		XXV. and XXVI.	
	on retailing opium without license,	XXI.	„	X.	
	on retailing more than quarter Surat Seer to the same person within three days without permission, ...	„		XIII.	
	for various specified offences relative to the smuggling of spirits, ...	„		LXVIII	
	for malicious informations regarding do.	„		LXXI.	1
	distribution of do.	„		LXXII.	
	for not having marked fishing vessels do.	XX.	„	XX.	4
	in the Sea Customs Department, how to be sued for and enforced, ...	„		XXXIII	2
Fire - - -	wilfully setting fire to property, how punishable, ...	XIV.	„	XLII.	1
Fishing Vsssels	rules for the registry and marking of,	XX.	„	XX.	
Flogging -	as a mode of punishment, how to be inflicted and with what sort of instrument,	XIV	„	VIII.	
	number of stripes authorized, ...	„		„	1
	place, period of repetition, and publicity,	„		„	2
	in what cases persons of certain descriptions are to be exempted, ...	„		„	3
	may be imposed by a Senior Assistant Criminal Judge, to the extent of thirty stripes, for theft only, ...	XIII.	„	XIII.	3
	but not by a Junior Assistant,	„		„	6
	may be inflicted for disorderly conduct in the Criminal Jail, ...	„		XLVI.	2
	as a punishment for various offences cognizable by Superintendent of Bazars,	XXII.	„	XXVI.	
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	do. for illegally selling spirituous liquors within Cantonments or during a march,	„		XLIX. and LIII.	
Forage - -	public—penalty for receiving,	XXII.	„	XIX.	
Force - -	among the circumstances which constitute robbery, ...	XIV.	„	XXXVI.	1
Forced Service	definition of and punishment for, see "*Impressment.*"	XII.	„	XVII.	
Forcible - -	escape from custody after sentence has been passed, how punishable,	XIV.	„	XXIV.	
	resistance to legal process, how punishable,	„		XXV.	
	occupation of disputed property, how the Magistrate may interfere to prevent,	XII.	„	XVI.	
Foreclose -	how property pledged for a debt may be sold for payment, ...	V.	„	XV.	3
Foreign - -	disturbing the Peace of foreign states, how punishable, ...	XIV.	„	XV.	
	if the culprit be a native subject of the Bombay Presidency, and with the sanction of Government, ...	XI.	„	IV.	
	refugees charged with offences committed in foreign territories under what circumstances to be given up, ...	„		V.	

		REG.		SECT.	CLAUSE.
Foreign - -	emigrants and aliens from foreign states how to be dealt with for exciting disturbances therein, ...	XI.	1827.	VIII.	
Foreign States	opium imported under treaty with His Majesty into Bombay and its subordinates for consignment to any place out of the Company's limits, not liable to import duty of twelve Rupees per Surat Seer, ...	XXI.	„	I.	2
Foreign Spirituous Liquors -	duty on, imported into a Collectorship for private use or otherwise, on the way to a Military Station, ...	XXII.	„	LII.	
Foreigners -	see "*Americans*," "*Aliens*," "*Emigrants*."				
Forfeiture - -	of Assessment of land before exempt from payment of Land Revenue in what cases to be enforced against Appellants from Collector's decision,	XVII.	„	XLIX. and L.	
	as a punishment for exaction and receiving presents by Officers of Land Revenue in Bombay, ...	XIX.	„	V.	
	as a punishment for enclosing the public roads in Bombay without license,	„		XI. and XIV.	
	as a punishment for not giving notice to the Collector of Bombay of the transfer of lands and houses subject to quit or ground rents, ...	„		Chap. V.	
	as a punishment for keeping or concealing smuggled opium, with or without interest therein, ...	XXI.	„	IV.	
	in case of Tobacco, foreign Snuff or Ganza, imported into Bombay, and concealed or relanded, being liable to confiscation,	„		XXXV.	
	in case of ditto sold without license,	„		XXXVI.	
	of license by retailer of do., not distinguishing his place of sale as prescribed,	„		XXXVIII.	
	on conviction of retailer of do. making a false return of tobacco do. in his possession, ...	„		XXXIX.	
Forgery - -	how defined, ...	XIV.	„	XVII.	1 & 2
	how punishable, ...	„		„	3
Form - -	of Heading to Regulations, ...	I.	„	Appendix	A.
	of list of regulations to be made by the Suddur Udalut, ...	„		„	B.
	of oath to be taken by the Judges of the Suddur Dewanny Udalut, ...	II.	„	„	A.
	of oath to be taken by Zilla Judges and Acting Zilla Judges and Assistant Judges, ...	„		„	A.
	do. by the Registers and Assistant Registers, ...	„		„	B.
	of solemn declaration to be made by the Nazirs, and Law Officers, and Seristadars, and Recordkeepers of the Suddur Dewanny Udalut, and the Zilla Courts,	„		„	C.
	of bond to be entered into by the sureties for the Nazirs to the Suddur Dewanny Udalut and Zilla Courts, ...	„		„	D.
	of oath to be taken by Zilla Judges and Acting Zilla Judges and Assistant Judges, ...	„		„	A.
	of Commission to be furnished to Commissioners for trying Civil Suits,	„		„	H.
	of solemn declaration to be made by them,	„		„	I.
	of Sunnud for Pleaders, ...	„		„	J.

		REG.		SECT.	CLAUSE.
Form - -	of Vakalut Nama for Pleaders,	II.	1827.	Appendix	K.
	of proclamation when an Heir, Executor, or Administrator to an Estate is formally recognized, ...	VIII.	„	„	A.
	of certificate to an Heir, Executor, or Administrator, ...	„		„	B.
	of proclamation when an Administrator is appointed by the Zilla Court,	„		„	C.
	of proclamation when a Commission is appointed for trial of Village Boundary Disputes, ...	X.	„	„	A.
	of oath to be taken by Members of a Commission for trying Village Boundary Disputes, ...	„		„	B.
	of notice to be given previous to the Commission proceeding with the investigation of Boundary Disputes,	„		„	C.
	of Register for filing Boundary Disputes,	„		„	D.
	of oath to be taken by the Superintendent of Stamps, ...	XVIII.	„	„	A.
	of Sunnud for appointing Kazees,	XXVI.	„	„	A.
	of Sunnud for investing a Landholder with Police Authority, ...	XV.	„	„	A.
	of oath to be taken by the Judges of the Suddur Foujdary Udalut, ...	XIII.	„	„	A.
	and by Registers or Assistant Registers of that Court, ...	„		„	B.
	and by Criminal Judges and their Assistants, ...	„		„	C.
	and by Zilla Magistrates and their Assistants, ...	XII.	„	„	A.
	of Commission to a District Police Officer,	„		„	B.
	and to a Village Police Officer,	„		„	C.
	of oath to be taken by a Collector of Land Revenue or his Assistants,	XVI.	„	„	A.
	of security bond to be furnished by Native Officers in the Land Revenue Department, entrusted with money or papers,	„		„	B.
	of warrant for confining State Prisoners,	XXV.	„	„	A.
	of proclamation for holding a Session,	XIII.	„	„	E.
	of Calendar of persons for trial at a Session,	„		„	F.
	and of defaulters in appearance,	„		„	G.
	of warrant for executing a sentence passed at a Session, ...	„		„	H.
	and for detaining a convict until the final warrant be issued by the Suddur Foujdary Udalut, ...	„		„	I.
	of warrant issued by a Special Court,	„		„	J.
	and by the Suddur Foujdary Udalut,	„		„	L.
	of Penalty Bond for the attendance of a witness in a Criminal Court,	„		„	M. & N.
	of admonition to a witness in a Criminal Court, ...	„		XXXVI.	2
	of summons to a person charged with a Criminal offence, ...	XII.	„	Appendix	D.
	of sentence passed by a Magistrate to be be executed by the Criminal Judge,	„		„	E.
	of proclamation on a Magistrate or his Assistant being vested with extended Jurisdiction, ...	„		„	F.
	or with authority to commit for trial before a Court of Circuit, ...	„		„	G.
	of recognizance bond in Criminal Matters,	„		„	H.
	and of security bond, ...	„		„	I.

		REG.		SECT.	CLAUSE.
Form	of proclamation previous to attaching the property of a fugitive offender,	XII.	1827.	Appendix	J.
	of proclamation for banishing a person of dangerous habits, ...	,,		,,	K.
	of certificate for recalling the said banishment, ...	,,		,,	L.
	of proclamation for investing District Police Officers with extended authority,	,,		,,	M.
	of notice of resumption of a Jagheer,	XVII.	,,	,,	B.
	of notice of Assessment, ...	,,		,,	D.
	of oath to be taken by the Revenue Judge of Bombay, ...	XIX.	,,	,,	A.
	of license for using country music in do.	,,		,,	D.
	do. for public notice by battakee in do.	,,		,,	E.
	of warrant for levy of Assessment do.	,,		,,	F.
	of oath to be taken by an Assessor in Bombay, ...	,,		,,	G.
	of notice regarding the Assessor's Books,	,,		,,	H.
	of oath to be taken by covenanted servants in the Sea Custom Department,	XX.	,,	,,	C.
	of arranging the Records of Suits in Zilla Courts, ...	II.	,,	XXXII.	3 & 4
	of Day Book to be kept by Zilla Record-keepers, ...	,,		Appendix	G.
	of Register for filing Civil Suits,	IV.	,,	,,	A.
	of Summons to a Defendant, ...	,,		,,	B.
	of order for publishing a notice when a a Defendant is not found, ...	,,		,,	C.
	of the notice, ...	,,		,,	D.
	of warrant for arresting a Defendant,	,,		,,	E.
	of security bond to be furnished by a Defendant, ...	,,		,,	F.
	of order for sequestrating a Defendant's property, ...	,,		,,	G.
	of security to be furnished in lieu of such sequestration, ...	,,		,,	H.
	of proclamation to prohibit the alienation of a Defendant's property, ...	,,		,,	I.
	of security to be furnished by a Plaintiff who does not reside within the Zilla,	,,		,,	K.
	of summons to witnesses in a Civil Suits,	,,		,,	L.
	of warrant for enforcing the attendance of a witness, ...	,,		,,	M.
	of admonition to a witness in a Civil Suit,	,,		XXXIV.	1
	of proclamation for the information of co-heirs when property in which they are interested is litigated, ...	,,		Appendix	N.
	of proclamation of the sale of property in execution of a Decree, ...	,,		,,	O.
	of security to be given by an Appellant in a Civil Suit, ...	,,		,,	P.
	of notice to be given to the parties when an Appeal is admitted, ...	,,		,,	Q.
	of security to be furnished by an Appellant on suspending the execution of a Decree,	,,		,,	R.
	of Register for filing Appeals, ...	,,		,,	S.
	of summons to parties in Appeal,	,,		,,	T.
	of deed of reference to Arbitration,	VII.	,,	,,	A.
	of the Arbitration Award, ...	,,		,,	B.
	of manifest, ...	XX.	,,	,,	E.
	of pass for coasting vessels,	,,		,,	F.
	of bond on replacing a pass,	,,		,,	G.
	of application for exportation of goods,	,,		,,	H.
	of certificate of payment of Sea Import Duties, ...	,,		,,	J.

		REG.		SECT.	CLAUSE.
Form - -	of periodical returns to Collectors of Sea Customs, ...	XX.	1827.	Appendix K.	
	of license to keep and retail opium,	XXI.	„	„ A.	
	do. do. Tobacco, Snuff and Ganza,	„		„ B.	
	do. retail poisonous substances,	„		„ C.	
	do. manufacture of spirits, ...	„		„ D.	
	do. retail sale of spirits do.	„		„ E.	
	do. pass for removing liquor from a Suddur Distillery, ...	„		„ F.	
	do. do. extra quantities, ...	„		„ G.	
	do. license for the manufacture and sale of spirits at a distance from a Suddur Distillery, ...	„		„ H.	
	do. do. for manufacture and sale of do.	„		„ I.	
	do. do. for retail of imported spirits,	„		„ J.	
	do. do. for the vend of toddy,	„		„ K.	
Formâ Pauperis	see "*Pauper.*"				
Fort Victoria	duty of quarter Rupee per gallon leviable on spirits imported into Bombay manufactured from the produce of,	XXI.	„	XLIX.	1 & 2
Foujdary -	Court of Suddur Foujdary Udalut, see "*Suddur.*"				
Fraction -	how to be computed in determining the period of imprisonment in commutation for a fine partly paid, ...	XIV.	„	IX.	2
Fraud - -	may be prosecuted for in a Civil as well as Criminal Court, ...	„		II.	2
	by camp followers on a march, how punishable, ...	XXII.	„	XXXV. and XXXIX.	
Fradulent -	use of a forged document, how punishable,	XIV.	„	XVII.	2
	description of articles offered for retail sale, how punishable, ...	„		XXII.	
Fugitive -	see "*Refugee.*"				
	in what cases and how the property of such may be attached, see "*Attachment of the property of a fugitive offender.*"				
Gallows - -	how disposed of after execution of a Criminal, ...	„		IV.	4
Gaming - -	in the Criminal Jail, prohibited and punishable, ...	XIII.	„	XLVI.	
Gang - -	robbers in greater number than four constitute a gang, ...	XIV.	„	XXXVI.	1
	robbery, see "*Robbery.*"				
	leader of, one hundred Rupees reward may be awarded by a Court of Circuit for apprehending, ...	XII.	„	XXXIII.	2
Ganza - -	rules for the importation of, into the Island of Bombay, similar to those regarding foreign snuff. see "*Snuff.*"	XXI.	„	XVII. and XVIII.	
	import duty of 87 Rupees per Maund, exclusive of 3½ per cent advalorem,	„		XIX.	
	rules for warehousing Ganza imported into Bombay, and sale of by retailers —see "*Tobacco and Snuff.*"	„		XX. to XXXI.	
	rules for the exportation of, on drawback,	„		XXXII.	
	penalties for smuggling, and illegally retailing, ...	„		Chap. VIII.	
Gate - - -	public, see "*Public Resort.*"				
General -	Register of each Zilla: see "*Register.*"				
	Stamp Office, see "*Stamp.*"				
Gerania -	this tenure not to be considered as one recognized by the custom of the country to exempt from payment of Land Revenue, so far as regards the rights of Government, ...	XVII.	„	XXXV.	2

		REG.	SECT.	CLAUSE.
Gibbet - -	see "*Gallows.*"			
Gift - - -	deed of, affecting immovable property, may be entered in the Register of Title Deeds,	IX. 1827.	III.	1
Gogo - -	port declared open to specified certificate privileges, ...	XX. „	I.	3
Gomashteh -	in what cases Gomashtehs may act in Civil Suits for their principals,	III. „	III.	2
Good Friday	Civil Courts to be then closed,	„	I.	2
	execution of sentences of death to be then suspended, ...	XIV. „	IV.	1
	Criminal Courts to be then closed,	XIII. „	IX.	
Goojerattee	see "*Guzerattee.*"			
Governor in Council	to appoint Zilla Judges and acting do. in their absence, ...	II. „	XX.	2
	Judges of Special Courts, ...	XIII. „	IV.	2
	Commissions for deciding Village Boundary Disputes, ...	X. „	I.	
	Kazees, ...	XXVI. „	„	
	landholders to discharge Police functions,	XV. „	„	
	Special Courts for trial of offences against the state, ...	XIII. „	IV.	
	and direct where to be held, ...	„	XXIV.	2
	and when to be dissolved, ...			
	to confirm, mitigate, or annul the sentence,	„	XXVI.	2
	Collectors of Land Revenue to such Districts as may be deemed advisable,	XVI. „	I.	
	Assessor of Houses in Bombay,	XIX. „	XVIII.	1
	Superintendent of the manufacture of spirits, ...	XXI. „	LV.	
	Collector of Sea Customs and Establishment, ...	XX. „	IV.	1
	Superintendent of Bazars, ...	XXII. „	I.	
	see "*Suspension and Dismissal.*"			
	provision for the alteration of the limits and number of Zillas by proclamation,	II. „	XVI.	2
	may administer the oath of qualification to a Judge of the Suddur Dewanny Udalut,	XIII. „	III.	2
	or of the Suddur Foujdary Udalut,	„	VII.	2
	or to a Criminal Judge, ...	XII. „	III.	5
	or to a Zilla Magistrate or his Assistant, or appoint a Commission for the purpose,			
	may appoint a Commission to administer the qualifying oath to a Collector of Land Revenue, ...	XVI. „	III.	2
	a copy thereof shall be transmitted to Government, ...	„	„	3
	to appoint so many Assistants as requisite to the Collectors of Land Revenue, ...	„	V.	
	and may appoint Commissions for administering their qualifying oaths,			
	may render Collectors of Land Revenue responsible for law expenses culpably incurred on part of Government,	„	VI.	2
	may suspend or dismiss Collectors of Land Revenue or their Assistants under certain circumstances, ...	„	VII.	4
	may appoint a Commission to investigate charges of a Collector of Land Revenue or his Assistants having broke certain prohibitions, ...	„	„	4
	to provide for the performance of the duties during the absence of a Collector of Land Revenue, ...	„	VIII.	

		REG.	SECT.	CLAUSE.
Governor in Council -	may remove aliens, emigrants, or their descendants, from the vicinity of the countries to which they originally belonged, ...	XI. 1827.	VIII.	1
	or confine them as state prisoners,	„	„	3
	may authorize Europeans or Americans to possess or occupy land, ...	XXIII. „	III.	
	may attach the property of individuals for political reasons, ...	XXV. „	VII.	
	and release it, ...	„	IX.	
	may act in behalf of natives of certain rank in lawsuits, ...	III. „	III.	2
	to license printing presses, ...	XXIV. „	I.	
	and may prohibit the circulation of any book or paper, ...	„	III.	
	and remit penalties incurred by illegal printing or circulation, ...	„	IV.	
	may permit creditors of Judicial Officers to be employed in offices subordinate to them, ...	XXIII. „	II.	
	to determine on levying a fine from importers of slaves, ...	XIV. „	XXXII.	
	in what cases to sanction the trial of persons accused of offences against foreign states, ...	XI. „	IV.	
	and the surrendering refugees from foreign states, ...	„	V.	
	may commute imprisonment for life to transportation, ...	XIV. „	VII.	1
	or cause convicts sentenced to hard labour to be employed at the Presidency,	„	„	4
	to issue instructions for framing Indexes to the Code of Regulations, ...	I. „	III.	3
	may determine any particular sort of Jurisdiction for the cognizance of offences committed by landholders, ...	XV. „	XIV.	
	may suspend Civil Law in case of war or rebellion, ...	I. „	VIII.	
	and direct treason or rebellion to be tried by Court Martial, ...	„	IX.	
	and establish a Special Criminal Jurisdiction, ...	„	X.	
	or reserve offences for future trial by the ordinary law, ...	„	XI.	
	may employ Pleaders in Civil Courts by means of a general power of Attorney,	II. „	L.	4
	may call for records of Civil proceedings from the Suddur Dewanny Udalut,	„	VIII.	
	and sanction that Court to require periodical returns from Zilla Courts,	„	XXVII.	3
	to provide for the translation of Regulations, ...	I. „	IV.	
	and for their framing and publishing,	„	V.	
	reserves the interpretation of Regulations of the new Code for two years,	„	VII.	2
	may confine individuals as State Prisoners, ...	XXV. „	I.	
	fixing an allowance for their support,	„	II.	
	to appoint a periodical visitor to state prisoners who are not under charge of the magistrate, ...	„	IV.	2
	may alter the order of rotation in which the Judges of the Suddur Udalut hold sessions or the period or place at which held, ...	XIII. „	V.	3

		REG.	SECT.	CLAUSE.
Governor in Council -	may extend the limit of punishment awardable by a Senior Assistant to the Criminal Judge up to that within the Jurisdiction of the latter Officer, making the same known to the Suddur Foujdary Udalut, ...	XIII. 1827.	XIII.	4
	may sanction the Suddur Foujdary Udalut to call for periodical Reports from Criminal Judges, ...	„	XIV.	4
	and from Zilla Magistrates, ...	XII. „	XXI.	2
	may call for any Records from the Suddur Foujdary Udalut, ...	„	XXXIII.	1
	his sanction necessary to holding a Court of Session at an unusual place,	XIII. „	XXX.	3
	certain sentences to be annulled or mitigated by, on recommendation of the Suddur Foujdary Udalut, ...	„	„	5
	may pardon convicts, either wholly or in mitigation, ...	„	XXXI.	2 & 3
	or grant indemnity, ...	„	„	3
	to sanction the limits marked out for the Criminal Judge's Jurisdiction as Police Magistrate, ...	XII. „	II.	1
	to sanction the appointment of District Police Officers and recall them,	„	V.	
	to issue orders respecting the seizure of Europeans and Americans unprovided with licenses or passports,	„	X.	3
	may extend the Jurisdiction (as to extent of punishment awardable) of a Zilla Magistrate or any of his Assistants,	„	XIII.	2
	or confer power to commit offenders for trial before the Court of Circuit,	„	„	3
	to direct how instruments seized as unlawful are to be disposed of,	„	XXX.	
	his sanction required for offering rewards of more than two hundred Rupees for the apprehension of an offender,	„	XXXII.	2
	also for all rewards relating to trials for treason, ...	„	XXXVI.	
	and for offering pardon to procure the evidence of an accomplice in a case of treason, ...			
	to determine whether further measures shall be adopted towards fugitive offenders whose property has been attached,	„	XXXVIII.	4
	in case of a banished Baharwuttya being apprehended to issue instructions regarding his being treated as a state prisoner,	„	XXXIX.	3
	may invest District Police Officers with authority beyond their ordinary Jurisdiction, ...	„	XLII.	
	to issue instructions to Collectors of Land Revenue, on points not provided for in the Regulations, ...	XVI. „	I.	
	to control the Collector's selection of the establishment, ...	„	IX.	1 & 6
	his sanction necessary to the sale of immovable property attached by a Collector of Land Revenue for satisfaction of a demand against an Officer on his Establishment, ...	„	XIV.	3
	in cases of exigency may suspend exemptions of land from payment of Public Revenue, ...	XVII. „	II	2

		REG.	SECT.	CLAUSE.
Governor in Council -	to have control over the amount of Land Assessment fixed by the Collector,	XVII. 1827.	IV.	1
	may alter Rules of Assessment by enactment for the purpose, ...	,,	,,	3
	to sanction the expenditure by the Court of Petty Sessions, of sums beyond the established charges, in applying certain Assessments and Penalties to the maintenance of the Police and Markets and draining and improvement of the Island,	XIX. ,,	XVI.	2
	plans &c. of improvements in watching and improving the streets of Bombay to be submitted for his final approval by the Court of Petty Sessions,	,,	XXIII.	2
	previous consent of, necessary in expenditure by the Court of Petty Sessions beyond departmental charges, affecting the Road Assessment Fund,	,,	XXVII.	1
	to receive from the Court of Petty Sessions plans and estimates of repairs and improvements of public roads of Bombay—and reports of the completion of the works, ...	,,	XXVIII.	
	accounts of fees levied in the Court of Petty Sessions and Offices of the Magistrates of Police to be laid before, when required, by the Clerk to the Petty Sessions, ...	,,	XXXI.	2
	approval of warehouses in which opium may be deposited for twelve months without paying duties at the owner's option,	XXI. ,,	II.	1
	may cause the Officer in charge of the collection of Customs to dispose of such deposited opium after twelve months,	,,	,,	2
	will direct the application of the proceeds of smuggled opium in case of there being no informer, ...	,,	VI.	5
	may appoint a person to take charge of opium for the supply of the retail trade if not the Collector of Land Revenue in each Zilla, ...	,,	VIII.	1
	the Collector of Land Revenue, or other person, to establish depôts of opium with the sanction of Government,	,,	,,	
	will dispose of the proceeds of the sale of confiscated Tobacco, foreign Snuff and Ganza, if no informer, ...	,,	XLIII.	2
	will instruct Collectors as to the sites of Suddur Distilleries, ...	,,	LVI.	1
	sanction of, necessary before the prosecution of Land Proprietors &c. for conniving at smuggling spirits, ...	,,	LXIX.	
	option to persons feeling aggrieved under the rules for punishing smuggling and conniving at do., to appeal to Government through the Collector or by vakeel,	,,	LXXI.	2
	appointment of Committee to frame and revise the tariff list regarding Sea Customs, ...	XX. ,,	II.	2
	report to, of Military Stores on board or landed, ...	,,	IX.	
	sanction of, to rules for the examination of goods established by the Collector of Sea Customs, ...	,,	XVIII.	

		REG.	SECT.	CLAUSE.
Governor in Council -	on report of goods or vessels liable to confiscation by the Collector of Sea Customs, the confirmation of, necessary to the confiscation if above the value of Rupees fifty, ...	XX. 1827.	XXXI.	1
	concurrence of, necessary in confirming sentences of death and transportation, and in commuting sentences of death, by Courts Martial, ...	XXII. „	X.	2
	to dispose of amount of damages decreed by a Civil Court on prosecution by Commanding Officers for embezzlement &c. of Military Stores, ...	„	XX.	
	to direct and approve the marking limits of Cantonments, ...	„	XXI.	1 & 2
	control of the establishment of Superintendent of Bazars, ...	„	XXIV.	
	report from Magistrates of proceedings against British subjects, ...	„	XXVIII.	3
	disposal of certain fines levied by the Superintendent of Bazars, ...	„	XXXI	
	order of, on emergency requiring impressment, ...	„	XLII.	2
	to receive the Magistrate's report of do.	„	„	4
	proceeding on demand for compensation by individuals for losses during the march of troops, ...	„	XLIII.	3
	application to, by Civil Officers requiring guards or military aid at the Presidency,	„	XLIV.	
	instructions of, respecting permanent guards at out-stations, ...	„	XLV.	
	will decide on requisitions for temporary guards &c. made by Civil Officers at out-stations, refused by the Commander in Chief, ...	„	XLVI.	2
	Monthly Returns to, of temporary guards and Escorts employed by Civil Authorities, ...	„	XLVII.	
	determination of additional space around Cantonment limits, regarding the sale of spirits, ...	„	XLVIII.	2
	disposal of fines imposed by Superintendents of Bazars for illicit sale of spirits,	„	XLIX.	1
	will issue orders on a reference from a Commanding Officer, of the refusal of a Collector to suppress a shop or still in the vicinity of a Military Station,	„	LV.	
Grain - -	public—penalty for receiving,	„	XIX.	
Ground - -	Rents—lands houses and tenements in Bombay subject to the payment of—rules for giving notice of transfer to the Collector, ...	XIX. „	Chap. V.	
Guards - -	Military—permanent and temporary, requisitions for by Civil Authorities,	XXII. „	Chap. VIII.	
Guardians -	see "*Administrator.*"			
Guide - -	pressing of, see "*Impressment.*"			
Guilt - -	the degree of in attempting a Criminal offence to regulate the punishment,	XIV. „	I.	2
Guzerat -	Sea Customs levied at the ports of—see "*Customs.*"	XX. „		
Guzerattee -	in what matters that language is directed to be used, see "*Language.*"			
Hackeries -	tax on, in Bombay—see "*Carriages.*"			

		REG.	SECT.	CLAUSE.
Handcuff -	may be used to secure prisoners in the Criminal Jail, ...	XIII. 1827.	XLV.	1
Hanging -	as a punishment, see "*Death.*"			
Hard - -	labour, see "*Labour.*"			
Harvest - -	see "*Crop.*"			
Havildar of a Village, or Village Beadle - -	may be employed by a Kumavisdar or Patell in realizing revenue demands and may exact the fee usual in the village, not exceeding half anna, ...	XVII. „	XIX.	
	may be similarly employed by a farmer,	„	XXIV.	
Head of a Village -	may not decline the Office of Arbitrator,	VII. „	II.	1
	how to assist Arbitrators, ...	„	IV.	3
	the office to be held by the person chiefly employed in managing the revenue of the village, ...	XII. „	VI.	1
	and in cases of doubt a selection to be made by the Magistrate, ...	„	„	2
	to Superintend the Police of the Village, being furnished with a Commission, during his occasional absence how the duties are to be performed,	„	„	1
	to act in subordination to the District Police Officer, but under the Zilla Magistrate's Authority, ...	„	XLVIII.	1
	to employ the Revenue Establishments in Police duties, ... may require aid from individuals, and proceed against those refusing it,	„	„	2
	to execute process for the Zilla Magistrate or District Police Officer, to make returns as directed by those authories to communicate matters relating to the Police or state of its establishments, ...	„	„	3
	to try certain offences, and what punishments to adjudge, ...	„	XLIX.	1
	how the trials are to be conducted, Complainants at liberty to make private compromise, ...	„	„	2
	records how made, and to be forwarded monthly to the District Officer,	„	„	3
	to apprehend and forward to the District Officer culprits and evidence,	„	L.	1
	may examine witnesses, ... and search for stolen articles, &c. under certain restrictions, ... and require aid from adjacent villages,	„	„	2
	and proceed against persons refusing compliance or obstructing process,	„	„	3
	prisoners for transmission to the District Police Officer not to be detained more than twenty-four hours unless for indispensable reasons which must be reported,	„	„	4
	to forward information if the perpetrator of an offence within the village limits escapes or is unknown, ...	„	LI.	1
	to continue pursuit of the same, and aid similar pursuit from other villages,	„	„	2
	to assemble Inquests for investigation of cases of death under suspicious circumstances, ... and forward the report to the District Police Officer, .. .	„	LII.	1
	how to proceed against persons refusing to sit on an Inquest, ...	„	„	2

		REG.	SECT.	CLAUSE.
Head of a Village -	to delay burning or burying the corpse until the District Officer sanction it,	XII. 1827.	LII.	3
	to send in custody to the District Police Officer persons likely to commit any penal action, ...	„	LIII.	1
	and to report instances of property appearing to have been unlawfully acquired,	„	„	2
	and of individuals adopting turbulent habits, ...	„	„	3
	to take in charge, and report to the District Officer, stray animals and property found,	„	„	4
	to station and employ the village establishment, and report to the Village Officer instances of misconduct, ...	„	„	5
	to prevent obstruction to the Tullatee in performing the functions of his office, and to procure the attendance of persons required before him, ...	XVI. „	XXIV.	1
	and if such person be not found, a report is to be made to the Collector,	„	„	2
	how far responsible when employed as intermediate Agents in the Assessment of Land, ...	XVII. „	I.	2
	may be authorized by Collector to employ watchmen to prevent the removal of assessed crops if security insufficient, or not given, (see Section XI.,)	„	XVIII.	
	may employ the Village Havildar or beadle in realizing the revenue—his fee not to exceed half anna, ...	„	XIX.	
Heir - - -	for rules respecting taking possession of the Estate, see "*Executor.*"			
	if a suit be instituted on an hereditary claim without all the heirs being parties the Court is to give notice and allow any claimant as co-heir to conjoin in the suit, ...	IV. „	XLVI. and XLVII.	
Hereditary -	offices or rights, occupation of them as proprietor during thirty years to establish the right, ...	V. „	I.	1 & 3
	but fraudulent occupation may be litigated until sixty years, ...	„	„	2 & 4
	District Revenue Officers, Village Revenue Officers, see the respective head.			
	right to a share of a village, see "*Village Shareholders,*" or "*Share of Villages.*"			
Hindoo - -	Law, see "*Law.*"			
	Law Officers, see "*Law Officers.*"			
Holidays -	what days are to be observed as such by Civil Courts, ...	III. „	I.	2 & 3
	and by Criminal Courts, ...	XIII. „	IX.	
Homicide -	culpable, how defined and punishable,	XIV. „	XXVII.	
Horses - -	riding, within the Island of Bombay—rules for the Assessment on,	XIX. „	XXIV.	1
	Military Officers allowed two riding horses exempt from Assessment, ...	„	„	2
	horses employed by Government to be exempted, ...	„	„	
	such only to be assessed as have been used on the public road during the quarter for which the Assessment was made,	„	„	
	persons exempted if not resident during the whole quarter, ...	„	„	
	Quarterly List to be made by the Assessor,	„	XXV.	1

		REG.		SECT.	CLAUSE.
Horses - -	abatement for horses sold during the quarter, ...	XIX.	1827.	XXV.	2
	penalties for false statement, obstruction to the Assessor and delay &c.	"		" XXVI.	3
	Appeal to the Court of Petty Sessions,	"		XXV.	4
Houses - -	occupation as proprietor during thirty years to establish the right, ...	V.	"	I.	1 & 3
	but fraudulent occupation may be litigated until sixty years, ...	"		"	2 & 4
	dwelling, shall not without urgent occasion be searched at night for stolen property by a landholder vested with Police Authority, ...	XV.	"	VII.	3
	nor by a Magistrate, ...	XII.	"	IX.	4
	tax on, within the Islands of Bombay and Colaba, without the town limits,	XIX.	"	Chap. III.	
	in Bombay—rules for giving notice to the Collector on the transfer of,	"		Chap. V.	
Humeyl - -	or Badge, see "*Badge.*"				
Idiot - - -	see "*Insane.*"				
Illness - -	what consideration to receive in the infliction of punishment, ...	XIV.	"	III.	2
	and in the examination of witnesses in Criminal Matters, ...	XIII.	"	XXXIV.	6
Immolation -	see "*Self Immolation.*"				
Immovable -	property—in disputes regarding—limit to the Superintendent of Bazar's interference, ...	XXII.	"	XXXII.	3
Implements -	such as are necessary for manual labour to be exempt from distraint in Civil Suits,	IV.	"	LXII.	2
	such as are kept for unlawful purposes to be seized and confiscated,	XII.	"	XXX.	
Importation	of slaves, see "*Slaves.*"				
Impressment	of Koolies or Beegaries, Porters or Guides forbidden, ...				
	the prohibition to be promulgated and its enforcement watched by the Magistrate, ...	"		XVII.	1
	how defined, ...	"		"	2
	how punishable by the Zilla Magistrate,	"		"	3 & 5
	how if the offender be a British born subject, ...	"		"	4 & 5
	may be resorted to by the Magistrate in cases of necessity and for the public service, and at the highest usual rate of pay,	"		XVIII.	1
	and punish for non-compliance,	"		"	3
	allowed on emergencies, under certain rules, on the march of troops,	XXII.	"	XLII.	
Imprisonment	a period of to be assigned in commutation for a fine, ...	XIV.	"	IX.	1
	adjudged by a Magistrate to be executed by the Criminal Judge, ...	XII.	"	XIII.	1
	as a punishment—how to be inflicted,	XIV.	"	VII.	
	period which may be adjudged, as solitary or ordinary, ...	"		"	1
	imprisonment for life may be commuted to transportation by Government,	"		"	1
	solitary imprisonment how conducted, and visits to the prisoner by his friends how allowed, ...	"		"	2
	ordinary imprisonment may be accompanied with hard labour, ...	"		"	3
	removal of prisoners sentenced to imprisonment with hard labour to any district,	"		"	4

		REG.		SECT.	CLAUSE.
Imprisonment	a prisoner may be kept on conjee diet for one month, ...	XIV. 1827.		VII.	5
	in Law Suits—in what cases a Defendant may be imprisoned before judgment has been passed, ...	IV.	„	„	
	but he may demand to be transferred from the custody of a Native Commissioner to the Suddur Station, ...	„		„	7
	how to be subsisted, ...	„		„	8
	the period of imprisonment before judgment not to be deducted from that which may be adjudged in execution of a Decree, ...	„		„	8
	of a debtor after judgment has been passed, ...	„		LXIII. LXIV. LXV. and LXX.	2
	for contempt of Court, see "*Contempt.*"				
	of a Land Revenue Defaulter, ...	XVII.	„	XII.	6 & 8 to 10
	if the claim for which he is imprisoned be disputed, ...	„		XVII.	2 & 3
	what security entitles him to a release,	„		„	10
	do. on application of farmers of Revenue,	„		XXVI.	1
	how terminable, ...	„		„	5
	do. being inferior landholders and occupiers of land belonging to the Nuwab of Surat, ...	„		XXIX.	2
	do. in Bombay, ...	XIX.	„	IV.	
	of a defaulter in payment of Assessments fines and penalties, &c. on the Assessment of shops and stalls, license to erect temporary sheds, to use country music, and to give public notices by beat of battakee, ...	„		XIV. & XV.	
	of defaulter in payment of forfeitures regarding Tobacco, Snuff and Ganza,	„		XLII.	
	of offenders against the rules for preventing smuggling spirits, ...	„		LXVIII.	
	of malicious informers regarding do.	„		LXXI.	1
	under sentence of Military Courts of Requests, ...	XXII.	„	VIII.	
	under sentence of Courts Martial,	„		VI.	1
	as a punishment for certain Military offences cognizable in a Civil Court,	„		Chap. III.	
	do. for certain offences cognizable by the Superintendent of Bazars, ...	„		XXVI. and XXVIII.	
	do. for certain offences of camp followers by Court Martial or Commanding Officers, ...	„		Chap. VI.	
	do. for illegally selling spirituous liquors within Military Cantonments or during a march, ...	„		XLIX. and LIII.	
Incapacity -	of serving Government—as a punishment for embezzling Military Stores,	„		XI.	2
	do. for making false musters, or aiding,	„		XVIII.	
Indemnification	how to be recovered by a person who has in a legal manner become possessed of stolen property on its being reclaimed by the owner, ...	XIV.	„	XLI.	2
Indemnity -	to offenders, may be granted by Government, ...	XIII.	„	XXXI.	3
Index - -	to be made for the Code of Regulations periodically, ...	I.	„	III.	3

		REG.	SECT.	CLAUSE.
Infirmity -	what consideration to receive in the infliction of punishments, ...	XIV. 1827.	III.	2
	and in the examination of witnesses in Criminal Matters, ...	XIII. „	XXXIV.	6
	of Hereditary Revenue Officers, entitles them to appoint deputies, ...	XVI. „	XVIII.	
Infliction -	of punishments, see each punishment under its respective head: a list will be found under the head, "*Punishment.*"			
	how far the infliction is to be affected by illness or infirmity, ...	XIV. „	III.	2
Information	of an offence, how to be laid before a Magistrate, ...	XII. „	IX.	1 & 2
	ex-officio—to be exhibited in the Supreme Court against Land Revenue Officers at the Presidency for illegal exaction and acceptance of presents, ...	XIX. „	V.	
Informer -	of a Tullatee's neglecting the rules for furnishing and recording receipts for Land Revenue payments, how to be rewarded,	XVII. „	XV.	1
	of undue revenue exactions, how rewarded,	„	XVI.	2
	of exaction and receiving presents by Officers of the Land Revenue at Bombay,	XIX. „	V.	
	of smuggled opium—to receive one third of the produce of confiscated seizures,	XXI. „	VI.	5
	to receive one-half of the proceeds of Tobacco, foreign Snuff and Ganza, sold as confiscated, ...	„	XLIII.	2
	to receive one-half of the proceeds of smuggled spirits sold as confiscated,	„	XLVI.	2
	with Officers employed in the seizure, to receive four-fifths of the net proceeds of confiscated property in the Sea Customs Department, after paying duties,	XX. „	XXXII.	
	reward to, in case of confiscation of foreign spirits imported into a collectorate,	XXII. „	LII.	3
Injury - -	corporal, indirectly produced, how punishable, ...	XIV. „	XXIX.	3
	to property, how punishable,	„	XLII.	
	(or criminal offence against) to the state in its political relations, — how defined and punishable,	„	Chap. III.	
	to the public, ... — how defined and punishable,	„	„ IV.	
	to the person, ... — how defined and punishable,	„	„ V.	
	to property, ... — how defined and punishable,	„	„ VI.	
	in what cases injuries may be prosecuted in the Civil as well as Criminal Courts,	„	II.	
Inland Duties	to be collected by Collectors of Land Revenue and their Establishments,	XX. „	XXX.	
Inquest - -	a person refusing to sit on, how punishable, ...	XII. „	XXXI. and LII.	1 2
	to be held when murder is suspected to have taken place, ...	„	XLIV.	2
	to consist of not less than three Members, ...			
	its report to be in writing and recorded as evidence, ...			
	the head of a village also to summon Inquests for the above purpose,	„	LII.	1
Insane - -	illegal detention of an Insane person, how defined and punished, ...	XIV. „	XXXIII.	2
Insanity -	how the insanity of a creditor affects the period at which Civil cognizance of the debt ceases, ...	V. „	VII.	3 & 4

		REG.		SECT.	CLAUSE.
Insanity -	Agents in Civil Suits for insane persons to be considered principals, ...	III.	1827.	III.	1
	if a hereditary Revenue Officer be insane, a deputy may be appointed,	XVI.	„	XVIII.	
Instalment -	a Civil Court may issue a Decree payable by Instalments, ...	IV.	„	LX.	3
	of Land Revenue, the Collector to give notice when they are to be paid and to whom, ...	XVII.	„	X.	
Instigation -	of a Criminal offence, how punishable,	XIV.	„	I.	5 & 8
Institution -	of Civil Suits, see "*Suits.*"				
Instrument -	see "*Implement.*"				
Insult - -	personal, see "*Abuse, personal.*"				
Intention -	an offence committed without intention, how noticed, ...	„		„	3 & 4
Interest - -	of its rate and continuance in general,	V.	„	Chap. III.	
	its rate, ...	„		X.	
	Compound Interest, ...	„		XI.	
	how long interest may continue,	„		XII.	
	in no case to exceed the amount of the principal, ...	„		„	
	the rules for limiting interest contained in Regulation I. A. D. 1814, preserved so far as concerns transactions which occurred while it was in force,	„		XIII.	
	interest to cease on payment of the debt being tendered, ...	„		XIV.	
	interest may be awarded from the date of instituting a suit till its decision,	IV.	„	LX.	4
Interpreter -	of depositions, ...	„		XXXVI.	2
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Irrelevant -	exhibits of such nature may be rejected in a Civil Suit, ...	„		XXIX.	1
	Questions of such nature not to be put to a witness, ...	„		XXXV.	2
Issuing - -	false or base coin, how punishable,	XIV.	„	XIX.	
Jagheer - -	land under this title exempt from public revenue how liable to resumption and assessment, ...	XVII.	„	XXXVIII.	1
Jail - - -	Criminal to be under charge of the Criminal Judge, and Superintended by the Nazir, ...	XIII.	„	XLII.	1
	to be attended by the Civil Surgeon,	„		„	2
	the prisoners to be subsisted by Government, and what allowances of food are to be made, ...	„		„	3
	what clothing and other articles allowed,	„		„	4
	the Criminal Judge to inspect the Jail once in every month, ...	„		„	5
	form to be observed on receiving a prisoner in the Jail, ...	„		XLIII.	1
	the purpose of the custody to be specified,	„		„	2
	death or escape of a prisoner how recorded, ...	„		„	3
	prisoners released after six month's confinement may be provided with a month's subsistence, ...	„		„	4
	prisoners to be divided into separate classes and corresponding apartments allotted to be allowed all possible facility in maintaining caste rules,	„		XLIV.	
	what description of prisoners are to be secured with fetters, and what instru-				

		REG.	SECT.	CLAUSE.
Jail - - -	ments may be employed in general for security, ...	XIII. 1827.	XLV.	1
	how prisoners may be employed,	„	„	2
	and how the employment enforced,	„	„	3
	gaming and disorderly conduct in general to be prevented, ...	„	XLVI.	1
	and how punished, ...	„	„	2
	under what circumstances a prisoner in the Criminal Department may be removed to the Civil Jail, ...	„	XLIV.	3
	to be visited by the Judge on Circuit,	„	XVI.	3
	state of to be reported to Government by the Suddur Foujdary Udalut,	„	XXVII.	4
	the Civil Jail to be under control of the Zilla Judge, ...	II. „	XXVI.	
	and under the Superintendence of the Nazir, ...	„	XXX.	5
	to be visited by the Judge on Circuit,	XIII. „	XVI.	3
	under what circumstances a prisoner may be removed into it from the Criminal Jail,	„	XLIV.	3
Jails - - -	permanent guards for protection of, requisitions for, ...	XXII. „	XLV.	
Jailor - -	of the Zilla Criminal Jail, ...	XIII. „	XLII.	1
Jewels - -	to alter the appearance of for fraudulent purposes, how punishable, ...	XIV. „	XXI.	
Jhansa - -	how punishable, ...	„	XXXV.	
Judge - - -	on Circuit—to visit such state prisoners as are in the custody of Magistrates, and what authority may be exercised on such occasions, ...	XXV. „	IV.	1
	of the Suddur Dewanny Udalut, ...	see the respective heads.		
	of the Suddur Foujdary Udalut, ...			
	on Circuit, ...			
	Zilla Judge, ...			
	Assistant Judge, Senior and Junior of a Special Court,			
	the Zilla Judges to hold the offices of Criminal Judges, ...	XIII. „	VII.	1
	and exercise the functions of Magistrates in certain limits, ...	XII. „	I. and II.	1
	when the term "Judge" is used indefinitely, it is to be understood as applying to the Zilla Judge, ...	IV. „	I.	1
	Judges prohibited from ex-official communications on business, ...	III. „	II.	1
	Judges prohibited from having money transactions with certain persons,	XXIII. „	I.	1
	and loans made to such persons not recoverable, ...	„	„	2
	and their creditors precluded from being employed in situations subordinate to them,	„	II.	
	rules of Appeal to the Zilla Judge from the original Decree of the Collector in a Civil Suit cognizable by him,	XVII. „	XXXIV.	
	of Revenue in Bombay—see "*Police Magistrate.*"	XIX. „	Chap. I.	
Judgment -	the principles on which it is to be founded in Civil Suits, ...	IV. „	XXVI.	
	see "*Decree.*"			
Judicature -	Courts of, see "*Court.*"			
Judicial - -	proceedings, see "*Suit,*" "*Proceedings,*" "*Process,*" "*Record,*" "*Trial,*" "*Court,*" "*Magistrate,*" "*Sentence.*"			

		REG.		SECT.	CLAUSE.
Junior - -	Assistant Judge—see "*Assistant Judge.*"				
Jurisdiction	Civil—of the Suddur Dewanny Udalut,	II.	1827.	I. V. VI. and VII.	
	of the Zilla Civil Courts, ...	„		XXI.	
	of Native Commissioner's Courts,	„		XXXVII.	
	to be exercised by the Collector of Land Revenue, ...	XVI.	„	II.	2
	specification of do.	XVII.	„	Chap. VIII.	
	of Military Courts, over persons belonging to the Bombay Native Army; not being British born, ...	XXII.	„	III.	1
	Criminal—Residence within a Zilla renders a person subject to the Regulations on Criminal Judicature with certain specified exceptions, ...	XI.	„	I.	1
	the Nuwab of Surat, with his relations and servants exempted, ...	„		„	2
	a person continues for six months after such residence subject to the laws regarding disturbing foreign states,	„		II.	
	and Native Subjects for a year after such residence to the laws regarding treason,	„		III.	1
	Native Subjects, how defined,	„			2
	liable to be tried for offences committed in foreign countries but the sanction of the Governor in Council must previously be obtained, ...	„		IV.	
	Police, with which a landholder may be invested, ...	XV.	„	II. and VIII.	1
	to which such landholder shall be subject for Criminal offences or official misconduct, ...	„		XIV. and XV.	
	and his relations, ...	„		XX.	
	over offences, during suspension of Civil Law, to be appointed by Government,	I.	„	IX. X. and XI.	
	Supreme, over Zillas, vested in the Court of Suddur Foujdary Udalut,	XIII.	„	II.	1
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	of the Zilla Magistrate or any of his Assistants may be extended by Government, ...	XII.	„	XIII.	2 & 3
	also that of a District Police Officer,	„		XLII.	
	of Kumavisdars in case of Revenue Defaulters, ...	XVII.	„	XVII.	2
Jury - -	see "*Inquest.*"				
	opinion of natives to be taken in Civil Suits and Criminal cases,	IV.	„	XXIV.	3
		XIII.	„	XXXVIII.	5
Justice - -	Administration of Courts of, see "*Court.*"				
	Administration of Criminal Justice—its state to be reported to Government by the Suddur Foujdary Udalut,	„		XXVII.	1
	of the Peace, Criminal Judges must take the oaths of qualification for,	„		VII.	2
	also Zilla Magistrates and their Assistants,	XII.	„	III.	5
	of the Peace, acting within the Presidency of Bombay—authorized to determine on oath, fines, surcharges, penalties and forfeitures incurred in respect of Assessment on shops and stalls within the town and Island, licenses to erect wedding				

		REG.	SECT.	CALUSE,
Justice - -	sheds, &c. on the public roads, to employ country music without doors, and to give public notices by beat of battakee—levy how to be made under warrant, and commitment of a defaulter to the Bombay Jail for a period not exceeding one month, ...	XIX. 1827.	XIV.	
	Appeal to the Court of Petty Sessions, who are authorized to control the disbursements of the sums levied,	„	XV.	
	authorized to proceed as in Section XIV. in case of non-payment of the Bombay House-Tax within eight days after demand, ...	„	XXII.	
	do. in case of similar non-payment of the Tax on Horses and Carriages within the Island of Bombay, ...	„	XXVI.	2
	of the Peace, acting within the Presidency of Bombay—rules of procedure in cases of not having given notice to the Collector of Bombay of the transfer of lands and tenements subject to quit and ground rents, ...	„	Chap. V.	
	accounts of fees levied in the Court of Sessions and Offices of the Magistrates in Bombay to be laid before His Majesty's Justices by the Clerk of the Petty Sessions, when required, ...	„	XXXI.	2
	Superintendent of Bazars, qualified as, in what cases invested with jurisdiction over British born subjects,	XXII. „	XXVIII.	
Justifiable -	in what cases putting a person to death is justifiable, ...	XIV. „	XXVI.	3
Kaira - -	specification of pergunnas and places with Zilla of—date when the jurisdiction commenced, ...	II. „	Appendix E.	
	do. as to the recovery of bonds,	V. „	„ A. & B.	
	do. as to the registration of deeds,	IX. „	„ D.	
	do. do. exempting from the payment of Land Revenue, ...	XVII. „	„ E.	
Kamavisdar	or Native Collector, lists of Venders of Stamps to be affixed at each Kamavisdar's Cutchery, ...	XVIII. „	III.	2
	to Superintend the Police in his District,	XII. „	V.	
	to be appointed or dismissed by the Collector (under the control of Government,)	XVI. „	IX.	
	may be punished by fine not exceeding two month's salary, ...	„	„	1
	prohibited from holding an office in any other Department than the Collector's or Zilla Magistrate's, ...	„	X.	
	prohibited (as well as his relations) from holding a farm or being personally concerned in the collections, ...	„	XI.	1
	prohibited from using official funds, or trading, ... or receiving presents, ...	„	„	2
	how punishable for breach of the prohibitions in this Section, .. .	„	„	3
	security for appearance may be required,	„	XII.	
	for further particulars, see "*Native Officers of the Land Revenue Establishment.*"			
	may be authorized by Collector to demand security for payment of revenue where			

		REG.		SECT.	CLAUSE
Kamavisdar	requisite—and if not furnished, may take precautions to prevent the removal of crops (Section XI.)	XVII.	1827.	XVII.	1
	do. to send Mohussuls on Defaulters and confine Defaulters in the District Kuchery for a period not exceeding thirty days, reporting to the Collector,	„		„	2
	do. to send Defaulters to the Civil Jail,	„		„	3
	do. on report for Collector's final orders, to attach the property of defaulters,	„		„	9
	may decide on application from a farmer of revenue for enforcing payment by employment of Mohussuls, arrest, detention or imprisonment of Defaulters, or attachment of their property—such compulsory process to cease on the alleged Defaulter filing a suit against the farmer before the Collector,	„		XXVI.	1, 2, 5
Kazee	negligence or misconduct committed by: how punishable,	II.	„	VI. and XXV.	3 & 4 4
	certificates granted by, to be on stamped paper, and of what value,	XVIII.	„	XIX.	
	how appointed,	XXVI.	„	I. III. and IV.	1
	form of Sunnud,	„		I.	2
	to use a seal and how inscribed,	„		„	3
	the Zilla Judge to report Misconduct of a Kazee to the Governor in Council,	„		II.	2
	how such charge shall be investigated,	„		„	3
	commitment for a penal offence to occasion suspension, and conviction to occasion dismissal,	„		„	1
	authorized to employ, appoint, or remove Naibs,	„		V.	
	Duties,	„		VI. and VIII.	
	emoluments, a table of which is to be placed conspicuously in the Kazee's Office and Zilla Court,	„		VII.	
	to record Marriages and Divorces and Penalty for omitting the same,	„		VIII.	1
	the said record to be delivered to the Superintendent of the Zilla Register,	„		„	2
King in Council	Appeals to, a party so appealing may apply to the Court of Suddur Dewanny Udalut, within six months from date of the Decree,	IV.	„	Appendix C.	1
	notice shall be given to the opposite party,	„		„	2
	the Decree how to be disposed of in the interim,	„		„	3
	the Appellant to furnish security for costs,	„		„	4
	records to be furnished,	„		„	6
	copies procurable by the parties,	„		„	7
	copies of Regulations procurable by the parties,	„		„	8
	the decree how to be executed,	„		„	9
	Decree of the Suddur Dewanny Udalut on Appeal against the Revenue Judge at Bombay appealable to, agreeably to IV. of 1827,	XIX.	„	II.	
King	on his Birth Day Civil Courts to be closed,	III.	„	I.	2
	and Criminal Courts,	XIII.	„	X.	
King's	evidence—see "*Pardon.*"				
Kist	see "*Instalment.*"				
Komavisdar	see "*Kamavisdar.*"				

		REG.		SECT.	CLAUSE.
Konkuns -	rules regarding the levy of Sea Customs at the ports of, ...	XX.	1827.		
Konkun -	Northern—specification of territories and places in the Zilla of—date when the jurisdiction commenced, ...	II.	„	Appendix	E.
	do. as to the recovery of bonds,	V.	„	„ A. &	B.
	do. as to the registration of deeds,	IX.	„	„	D.
	do. do. exempting from payment of Land Revenue, ...	XVII.	„	„	E.
	Southern—specification of territories and places in, as to the date of jurisdiction,	II.	„	„	E.
	do. as to the recovery of bonds,	V.	„	„ A. &	B.
	do. as to the registration of deeds,	IX.	„	„	D.
	do. do. exempting from payment of Land Revenue, ...	XVII.	„	„	E.
Kooly - -	the pressing of forbidden; see "*Impressment.*"				
Kucherries -	or Offices of Collectors, constituted Courts of Judicature for temporary purposes,	XVII.	„	XXXII.	2
		„		XLIII.	1
Kuranee -	rules to be observed on the arrival of vessels, ...	XX.	„	XII.	1
Labour - -	as a punishment, how to be inflicted,	XIV.	„	VII.	3, 4, 5
	Brahmins and Females in what cases exempted, as also persons of rank,	„		„	4
	what sort of labour may be required from a prisoner not sentenced to such, as punishment, ...	XIII.	„	XLV.	1
	how labour may be enforced, ...	„		„	2
	prisoners sentenced to by Court Martial may be forwarded to the Criminal Judge,	XXII.	„	VI.	1
Land - -	occupation as proprietor during thirty years to establish the right,	V.	„	I.	1 & 3
	but fraudulent occupation may be litigated until sixty years, ...	„		„	2 & 4
	may not be possessed or occupied by Europeans or Americans, .. .	XXIII.	„	III.	1
	but may be assigned as security for a loan,	„		„	2
	and in certain cases the possession or occupation may be sanctioned,	„		IV.	
	attachment of for reasons of state,	XXV.	„	Chap. II.	
	attached to hereditary Revenue Offices to be recorded by the Collector,	XVI.	„	XIX.	1 & 2
	not to be applied to any other purpose, nor alienated, ...	„		XX.	
	liable to payment of revenue unless exemption be proved, ...	XVII.	„	II.	1
	and on emergency even exempted land may be assessed, ...	„		„	2
	exempted from Assessment, see "*Exemption.*"				
	the revenue produced by which is paid under some other denomination is not alienable without the Collector fixing some part of it to bear the Assessment,	„		VI.	2
	uncultivated, may be disposed of by the Collector for the benefit of the revenue, with the reservation of individual rights,	„		VII.	
	proprietors, farmers, and managers of, conniving at smuggling spirits, prosecutable by the Collector with the sanction of Government before the Criminal Court, and punishable with fine or imprisonment, ...	XXI.	„	LXIX.	

		REG.		SECT.	CLAUSE
Land - -	provisions for redress in case of unfounded charge, ...	XXI	1827.	LXXI.	
Landholder -	may detain crops on land sold in execution of a Decree if arrears of rent be due,	IV.	„	LXIX.	3
	may be invested with Police Authority in certain limits by the Governor in Council, ...	XV.	„	I.	
	to be furnished with a Sunnud,		„	II.	1
	the extent of authority and limits within which to be exercised, ...		„	VII. and VIII.	
	form and language of the Sunnud, in what cases it is to be in the name of Government, and in what it is to be in name of the Magistrate, ...		„	„	2
	a copy of certain parts of the regulations to be furnished to the landholder,		„	„	3
	he is authorized to employ in Police Duties his retainers and dependants of any description, also the village establishments, ...		„	III.	
	in case of necessity he may call for the assistance of the inhabitants in general, who are punishable for refusing it,				
	he is to appoint his own Police Establishment, but not to employ any person who may be dismissed by competent authority, unless the Magistrate consent,		„	IV.	
	his jurisdiction not exempt from the Zilla Magistrate's Authority, ...		„	V.	
	the usual Village Police Establishments and functions to continue, and their nature to be explained to the landholder by the Magistrate, ...		„	VI.	
	abstract of the landholder's duties;		„	VII.	
	not to decide on an offence committed three months previous to complaint being made, ...		„	VIII.	
	mode of examination and trial,		„	IX.	
	how to be recorded, ...		„	X.	
	in case of an offender being sentenced to imprisonment the record to be sent to the Zilla Magistrate who may alter the sentence, ...		„	XI.	
	prisoners whose offences are greater than the landholder is authorized to decide on to be forwarded to the Zilla Magistrate within sixty hours, ...		„	XII.	1
	unless in case of necessity, when the same is to be reported within the said period,		„	„	2
	may be deprived of Police Authority by order of Government, ...		„	XIII.	1
	in what manner signified, ...		„	„	2
	landholders to be subject to such sort of Criminal Jurisdiction as the Governor in Council may specify, ...		„	XIV.	
	if no particular jurisdiction be so specified he is amenable to the Magistrate to a certain extent of punishment and beyond that to a Court of Circuit or Special Court, ...		„	XV.	
	what process the Magistrate is to adopt on the trial, ...		„	XVI. and XVII.	
	forms of courtesy to be observed if the trial be before a Court of Circuit or Special Court, ...		„	XVIII.	

		REG.	SECT.	CLAUSE.
Landholder	how punishable for official misconduct,	XV. 1827.	XIX.	
	relations of the landholder under his immediate protection are entitled to the same courtesy and to be subject to the same jurisdiction as himself, excepting as concerns the Special Jurisdiction appointed by Government, ...	„	XX.	
	superior—in recovering dues from tenants subject to the rules affecting farmers of revenue contained in, ...	XVII. „	XXIII. XXIV. XXVI. and XXVII.	
	responsible to the Collector for Public Revenue assessed on his lands—amount due realizable from the crop by,	„	XXIX.	1
	the Collector if no good security for payment given—or direct from the inferior holder, ...	„	XXX.	
	superior—cases submittable to the Civil adjudication of the Collector,	„	XXXI. and XXIX.	3 1
	inferior and others occupying land under the Nuwab of Surat against whom he may have demands of rent—may be arrested and confined by him for a period not exceeding thirty days—complaints against the Nuwab in such cases to be cognizable by the Governor's Agent only,	„	XXIX.	2
Land Marks	Village Boundaries determined by a Commission to be distinguished therewith, ...	X. „	XIII. and XVI.	
	also the limits within which the Criminal Judge is to act as Magistrate,	XII. „	II.	1
	how the Magistrate may prevent unauthorized removal of, ...	„	XVI.	
	how the District Police Officer, and how the Village Police Officer,	„	LIII.	1
Land Revenue	collection of—to undue amount, see "*Exaction.*"	XVI. „	II.	1
	the occupant of land liable for its revenue in his person and property,	XVII. „	V.	1
	but if it be held by a person by tenure derived from the occupant such person is liable in case the occupant does not discharge the amount, ...	„	„	2
	if however such person have paid to the occupant any part of the revenue (not in anticipation of the period of its becoming due) the same shall not be again claimed from him, ...			
	for a definition of "occupant," see that head. The crop shall be liable for the revenue of the current year in preference to all other claims, ...	„	„	3
	of loss incurred by an occupant throwing up his land without giving due notice, to be made in the same way as ordinary collection, ...	„	VI.	1
	notice how to be given of the period at which instalments become due and of the persons to whom they are to be paid,	„	X.	
	current how to be enforced, ...	„	Chap. III.	
	by Mohussilee, ...	„	XII.	2 to 6
	by distraint of property or person,	„	„	7 to 10
	Arrears and Tukavee how recoverable,	„	XIII.	
	receipts for payments how to be furnished and recorded, ...	„	XV.	1

		REG.	SECT.	CLAUSE.
Land Revenue	claim for exemption of payment in certain cases to be tried by the Collector,	XVI. 1827.	II.	2
	if Title Deeds for the same be not produced, to the Village Tullatee for registry the Collector may direct the land to be assessed, ...	„	XXV.	2
	this assessment shall cease when the Title Deed is registered but without barring ulterior procedure, ...	„	„	3
	exemption from payment of Public Revenue may be suspended in cases of exigency, ...	XVII. „	II.	2
	land nominally exempt but really paying revenue under some other denomination not alienable without certain process of security having been instituted by the Collector, ...	„	VI.	2
	if land be exempt from payment of revenue on account of the amount being charged to other land the occupant may not abandon the latter without also giving up the former, ...	„	„	3
	titles to exemption from payment of,	„	Chap. IX.	
	exceptions, ...	„	XXXV. and XXXVI.	2,4,5,6 2
	land exempt or Jagheer liable to resumption and assessment after being served with notice specified and a copy of the order of Government, ...	„	XXXVIII.	1
	land exempt on condition of performing special service or maintaining religious establishments, in case of non-fulfilment of the conditions of the grant,	„	„	2 & 3
	or proclamation in cases where the exemption is held in trust for the benefit of others, ...	„	„	4
	mode of publishing such proclaimed notice,	„	„	5
	claims for possession of—and disputes regarding the tenure of an interest therein cognizable by the Collector,	„	XXXI.	1 & 2
	rules of procedure in examining and sending on claims to exemption from, by the Collector, ...	„	Chap. X.	
	of Bombay—see " *Collector.*"	XIX. „		
	do. subject to ground or quit rents rules for giving notice to the Collector, of the transfer of, ...	„	Chap. V.	
	see " *Collector of Land Revenue,*" " *Assessment,*" " *Collection.*"			
Language	depositions in Civil Suits to be taken in the language best known to the witness, ...	IV. „	XXXVI.	2
	Interpreters of depositions,			
	in what languages the proceedings of Civil Courts are to be recorded,	III. „	V.	
	and process issued by the Courts,	„	X. and XI.	
	in what language the records of a Commission for trying Village Boundary Disputes are to be kept, ...	X. „	IX. and X.	2 1
	of the inscription on Stamped Paper,	XVIII. „	VII.	
	in what languages prohibitions against circulating books or papers are to be published, ...	XXIV. „	III.	I
	Sunnuds for vesting Police Authority in			

		REG.	SECT.	CLAUSE.
Language -	landholders to be in the language of the Zilla, ...	XV. 1827.	II.	2
Lascars - -	of ships and boats, not required to deliver manifests of goods being private property intended for personal use,	XX. „	XII.	4
Law - - -	that of the sect to which a Defendant belongs to be considered in the decision of Law Suits, ...	IV. „	XXVI.	
	points of Hindoo or Mohummedan Law to be ascertained from the respective Law Officers, ...	„	XXVII.	1
	points of other laws how to be ascertained,	„	„	2
	breach of Hindoo or Mohummedan Law in a Decree may be corrected by a Special Appeal, ...	„	XCIX.	1
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	embezzlement &c. of, how punishable,	XXII. „	XI.	
	and equipments, penalty for receiving,	„	XIX.	
Ministerial Officers -	see "*Native Officers.*"			
Minority -	how the minority of a creditor affects the the period at which Civil cognizance of the debt ceases, ...	V. „	VII.	3 & 4
	agents in Civil Suits for minors to be considered principals, ...	III. „	III.	1
	during the minority of a hereditary Revenue Officer, a deputy may be appointed,	XVI. „	XVIII.	
Minutes - -	of the proceedings of Civil or Criminal Courts to be kept, see "*Record.*"			
	a Member of a Special Court dissenting from the majority may record his sentiments, ...	XIII. „	XXIV.	3
Minute Book	of the proceedings of Civil Courts, how to be made, ...	III. „	VIII.	
	of the proceedings of Criminal Courts, how to be made, ...	XIII. „	XIV.	1
	a separate Minute Book for each Zilla to be kept in the Court of Suddur Foujdary Udalut, ...	„	XXXII.	1
Misconduct -	of covenanted servants in Judicial Offices to be noticed and reported to Government by the Suddur Udalut, ...	II. „	VI.	1
	of Native Officers attached to the Suddur Dewanny Udalut to be proceeded against by the said Court, ...	„	„	2
	of Native Officers belonging to Zilla Courts, how to be proceeded against,	„	„	3 & 4

		REG.		SECT.	CLAUSE.
Misconduct -	of Zilla Law Officers, how to be proceeded against, ...	II.	1827.	XXXIV. and XXXV.	9
	of Native Officers belonging to Courts of Civil Justice, how to be punished,	„		XXXVI.	
	of Pleaders, how punishable, ...	„		VI. XXV. L. and LVI.	3 & 4 / 2 & 3 / 3 & 4
	of Stamp Venders, how punishable,	XVIII.	„	VIII.	
	of landholders vested with Police Authority, how punishable, ...	XV.	„	XIX.	
	by what authorities, ...	„		XIV. and XV.	
	of Native Officers attached to Criminal Courts, how punishable, ...	XIII.	„	X.	
	and how of those employed in police functions, ...	XII.	„	VIII.	1 & 3
	of Officers in the Criminal Judge's or Zilla Magistrate's Departments, may be noticed by reproof from the Suddur Foujdary Udalut, ...	XIII.	„	XXIX.	7
	of Police Officers, punishable in the same way as of Revenue Officers, or by reprimand from the Zilla Magistrate,	XII.	„	XXII.	
	of subordinate Police Officers to be reported to the Zilla Magistrate by the District Police Officer, ...	„		XL.	3
	and to the District Police Officer by the Head of a Village, ...	„		XLII.	5
	of Officers on the establishment of a Collector of Land Revenue, punishable by him with fine not exceeding two month's salary, ...	XVI.	„	IX.	1
	of hereditary Revenue Officers, how punishable, ...	„		XVII.	
	of Village Accountants, how punishable,	„		XXVII.	
	of prisoners in the Criminal Jail, how punishable, ...	XIII.	„	XLVI.	
	of domestic servants, how punishable,	XII.	„	XVIII.	2 & 3
	of do. within Military Cantonments, how punishable, ...	XXII.	„	XXVI.	
	of Native Officers in the Sea Customs Department, how punishable, ...	XX.	„	XI.	
Mitigation	of sentences passed by any authority may be granted by Government, ...	XIII.	„	XXXI.	3
	of penalty incurred by the non-appearance of a witness in a Criminal Court, may be granted by that Court, ...	„		XXXIV.	8
	of sentences of Native Court Martial,	XXII.	„	X.	
	of do. of Superintendents of Bazars,	„		XXX.	
Mohummudan	Law, see "*Law.*"				
	Law Officers, see "*Law Officers.*"				
	rites, Kazees appointed for performance of,	XXVI.	„	VI.	
Mohussul	may be employed to enforce Land Revenue Payments, ...	XVII.	„	XII.	
	subsistence to be paid by the defaulter and at what rate, ...	„		„	2
	what remuneration to receive, ...	„		„	3
	how many persons may be employed as Mohussuls together, ...	„		„	4
	the Mohussalee to cease on the defaulter repairing to a Revenue Kuchery,	„		„	5
	do. by the Kumavisdar, ...	„		XVII.	2
	do. do. on application of farmers of revenue, ...	„		XXVI.	1
	such process, how punishable, ...	„		„	5

		REG.	SECT.	CLAUSE.
Mokuddim -	of a caste—fee on a Commission issued to, in Bombay, ...	XIX. 1827.	XXX.	1
Moneem - -	or manager of a mercantile establishment—see "*Gomashteh.*"			
Money - -	unlawfully coining or defacing, how punishable, ...	XIV. „	XVIII.	
	issuing unlawful coin, how punishable,	„	XIX.	
Mortgage -	bearing the same meaning as pledge. Property held in mortgage is recoverable by law[s] without any limitation of time for bringing the action, ...	V. „	VIII.	
	mortgaged property is to be the creditor's sole security for the debt and its interest, unless there be a different specific agreement, ...	„	XV.	
	if property deposited as security yields profit, the profit is to be taken instead of interest, unless a different specific agreement be made, ...	„	„	2
	sale of mortgaged property to pay the mortgage, ...	„	„	3
	mortgage of sequestrated property invalid, ...	IV. „	VIII.	9
	of immoveable property may be entered in the register of Title Deeds, ...	IX. „	III.	1
	Deeds of release of do.	„	„	
	reservation of rights resting on former regulations within certain territories and periods, ...	„	VII. App. D. & E.	3 & 4
Mowra, raw	if brought for manufacture to a Suddur Distillery, to have a pass from the Collector, to be warehoused under key, and to be removed with a pass, ...	XXI. „	LVII.	2
Mulct - -	see "*Fine.*"			
Murder - -	how defined, ...	XIV. „	XXVI.	1
	belief in sorcery having been practised by, or the request of the deceased shall not be a justification; but assisting at lawful self immolation is not criminal,	„	„	2
	in what cases putting to death is justifiable, ...	„	„	3
	punishment for murder, ...	„	„	4
	not bailable, ...	XII. „	XXV.	
	to be investigated by an Inquest,	„	XLIV. and LII.	2 1
	in what cases persons accused of, to be tried by Court Martial, ...	XXII „	IX.	
Music - -	country—license for using, without doors, in Bombay, ...	XIX. „	XII. & XIV.	1
Musters - -	false—penalty for making or aiding in,	XXII. „	XVIII.	
Musulman -	see "*Mohummudan.*"			
Naib - - -	to a Kazee, how appointed, removed, and employed, ...	XXVI. „	V.	
Nakhoda -	of a vessel—rules on the arrival at ports subordinate to Bombay, ...	XX. „	XII.	1
Napellus Moysis	sale of, how restricted, ...	XIV. „ XXI. „	XX. Chap. IX.	
Native Officers	breach of duty committed by, may be prosecuted for in the Civil, as well as punished in the Criminal Court,	XIV. „	II.	3
	negligence or misconduct of those attached to the Suddur Dewanny Udalut, how to be noticed by that Court, ...	II. „	VI.	2
	and how of those belonging to Zilla Courts,	„	„	3 & 4

	REG.		SECT.	CLAUSE.
Native Officers how negligence or misconduct of Native Officers belonging to Zilla Courts is to be noticed by the Zilla Judges,	II.	1807.	XXV.	2, 3, 4
Law Officers how to be appointed, suspended, or removed, ...	„		XXXIV.	2 & 3
and how ministerial Officers in general,	„		„	4
on the establishment of Civil Courts, how punishable for official misconduct,	„		XXXVI.	
on the establishment of the Suddur Foujdary Udalut to consist of the same persons and be subject to the same rules as those of the Suddur Dewanny Udalut,	XIII.	„	II.	2
Seristadar of the Suddur Dewanny Udalut, ...	see the respective head.			
Recordkeeper do.				
Law Officers do.				
Nazir do.				
Miscellaneous Officers subordinate to the Nazir of the Suddur Dewanny Udalut,	II.	„	XIV.	1
Administerers of oaths in the Suddur Dewanny Udalut,	see the respective head.			
Law Officers of the Zilla Courts, ...				
Seristadars and Writers of do.				
Nazirs of do.				
Recordkeepers and their Assistants, ...				
Administerers of oaths,				
Officers subordinate to the Nazirs of Zilla Courts, ...	„		XXX.	1
Pleaders—for particulars see the head "*Pleaders.*"	„		Chap. VI.	
Stamp Venders—see "*Venders of Stamps.*"				
Collectors—see "*Kamavisdar.*"				
Kazee, ...	see the respective head.			
Naib to a Kazee, ...				
Landholders vested with Police Authority, ...				
of the Criminal Judge's Court, to officiate in the Special Court, ...	XIII.	„	IV.	3
also in the Court of Circuit, ...	„		VI.	1
of the Zilla Court, in what other Courts to officiate, ...	„		IV.	3
			VI.	1
of Criminal Courts in general, how punishable, ...			VIII.	3
for bribery, extortion, or other misconduct,	XII.	„	X.	
and how those employed in police functions, ...	„		VIII.	1 & 3
of the Criminal Judge's Court, to be employed by him in his capacity of Police Magistrate, ...	„		II.	2
of District and Village Police, to be under the Superintendence of the Zilla Magistrate, ...	„		XXII.	1
and amenable for misconduct in the same way as the Revenue Establisments,	„		„	2
on the establishment of Collectors of Land Revenue, amenable to the Zilla Civil Courts for acts done in their official capacities, ...	XVI.	„	VI.	1
to be appointed or dismissed by the Collector (under the control of Government,)	„		IX.	
and punishable by fine for misconduct by the Collector, ...				
prohibited from holding an Office in any				

		REG.	SECT.	CLAUSE.
Native Officers	Department except the Collector's or Zilla Magistrate's, ...	XVI. 1827.	x.	
	entrusted with the charge or collection of public money in the Land Revenue Department, ...			
	prohibited from using it for private purposes, ...	„	XI.	2
	and from trading, ...			
	or receiving presents, ...			
	how punishable for breach of these prohibitions, ...	„	„	3
	of the Land Revenue Establishment entrusted with public money or papers, security may be required from,	„	XII.	
	of the Land Revenue Establishment the Collector to signify in writing when he has demands against them, ...	„	XIV.	1
	which may be enforced by imprisonment or attachment of property, ...	„	„	2 & 3
	and if the party did not answer the demand in person the Collector is not liable to costs or damages though his demand may not have been due, ...	„	„	4
	may institute a suit to try the validity of the demand on furnishing certain security, on which the imprisonment or attachment shall cease, ...	„	XV.	1
	and if in custody may forward a representation to Government through the Zilla Judge, ...	„	„	2
	how the death of the party affects the claim, ...	„	XVI.	
	Kamavisdars, ...	see the respective head.		
	Tullattee, ...			
	District Revenue Officer,			
	Village Revenue Officer,			
	Farmer			
	Havildar of a Village,			
	of the Land Revenue Establishment, liable to what punishment for undue exactions, ...	XVII. „	„	
	of the establishment of the Collector of Bombay, how amenable for official acts,	XIX. „	II.	
	how punishable for exaction and receiving presents, ...	„	V.	
	employed in the collection of the tax on shops and stalls in Bombay, liabilities and responsibility of, ...	„	IX.	2
	under the Collector of Sea Customs, amenable for official acts to the Zilla Court, ...	XX. „	VI. and VII.	
	how punishable for breach of duty, exaction, receiving presents or unauthorizedly detaining goods, ...	„	XI.	
	collecting Sea Customs in the Konkuns, certificates, returns and seal,	„	XXVII. and XXVIII.	2
	in general, to aid in suppressing, by giving information of, illicit traffic, on pain of liability to dismissal, ...	„	XXXI.	3 & 4
	seizure of Tobacco, Foreign Snuff, or Ganza by, whether in offices of Sea Customs, Land Revenue or Police, ...	XXI. „	XL.	1
	see "*Abkaree*," "*Darogha*."			
	persons subject to the jurisdiction of Military Courts, ...	XXII. „	III.	

		REG.		SECT.	CLAUSE.
Native Officers	under the Superintendent of Bazars,	XXII.	1827.	XXIV.	
	under former Governments who had power to confer grants of exemption from payment of Land Revenue,	XVII.	„	Appendix C.	
——*Princes*	presents sent by, may be passed free of Custom Duty by the Collector of Sea Customs at Bombay at his discretion,	XX.	„	VIII.	2
——*Subjects*	how defined, ...	XI.	„	III.	2
Nativity of Christ -	see "*Christmas Day.*"				
Navy - -	His Majesty's—provisions and stores purchased in India by His Majesty's Naval Commander for the use of the Navy, if not supplied by contractors, to be exempted from Custom Duties in the territories subordinate to Bombay,	XX.	„	XXIX.	
Nawaub - -	of Surat, exempted with his relations and servants from the jurisdiction of the Civil Court, ...	II.	„	XXI.	2
	article of exemption in the treaty,		„	Appendix F.	
	also exempted from Criminal Jurisdiction,	XI.	„	I.	2
	article of exemption in the treaty,		„	Appendix A.	
Nazir - -	to the Court of Suddur Dewanny Udalut, his appointment, ...	II.	„	XIV.	1
	to furnish two securities, ...		„	„	2
	to qualify by solemn declaration,		„	„	3
	his duties, ...		„	„	4
	how punishable for misconduct,		„	XXV. and VI. and XXXVI.	2 & 3 2
	to perform similar functions in the Suddur Foujdary Udalut, ...	XIII.	„	II.	2
	to the Zilla Courts appointment of Nazirs and Deputy Nazirs, ...		„	XXX.	1
	Nazirs to provide two securities and qualify by solemn declaration, ...		„	„	
	their general duties, ...		„	„	5
	how punishable for misconduct,		„	XXV. and XXXVI.	3
	to the Court of Suddur Foujdary Udalut the office to be held by the Nazir of that Court in its Civil capacity, ...		„	II.	2
	to qualify by solemn declaration,		„	III.	2
	and furnish security, ...		„	„	3
	of the Zilla Civil Court to officiate in the Criminal Judge's Court, qualifying by solemn declaration, ...		„	VIII.	3
	unless the duties require separate persons to be appointed, ...		„	„	4
	to officiate in the Special Court,		„	IV.	3
	also in the Court of Circuit, ...		„	VI.	1
	to superintend the Criminal Jail,		„	XLII.	1
	to execute sentences and orders for taking security, ...		„	XLIII.	2
Necessity -	see "*Urgency.*"				
Negligence -	see "*Misconduct.*"				
	of covenanted servants in Judicial Offices to be noticed by the Suddur Udalut and reported to Government, ...	II.	„	VI.	1
	of Native Officers attached to the Suddur Dewanny Udalut to be proceeded against by the said Court, ...		„	„	2
	of Native Officers belonging to Zilla Courts how to be proceeded against,		„	„	3 & 4
	of Native Officers belonging to Courts of Civil Justice how to be punished,		„	XXXVI.	

		REG.	SECT.	CLAUSE.
Negligence -	negligence of vakeels or pleaders, how punishable, ...	II. 1827.	L.	3 & 4
	of Police Officers subordinate to a landholder how far punishable by him,	XV. „	VII.	2
	of Criminal Judge's and Zilla Magistrates, how it may be noticed by a Court of Circuit, ...	XIII. „	XVI.	2
Newspaper -	when the Civil Court appoints an Administrator to an estate the proclamation is in certain cases to be published in the Government Newspaper, ...	VIII. „	X.	2
	prohibition against the circulation of books, or papers to be published in the Government Newspaper, ...	XXIV. „	III.	1
	public notice of the Assessment of Houses in Bombay to be given in, ...	XIX. „	XX.	
	do. for the sale by auction of confiscated Tobacco, foreign Snuff and Ganza,	„	XLIII.	1
New Year's Day	Civil Courts to be then closed,	III. „	I.	2
	and Criminal Courts, ...	XIII. „	IX.	
Night - -	robbery by, how defined, ...	XIV. „	XXXVI.	3
Notes - -	if the parties in a Civil Suit desire it, all formal recording of the proceedings may be dispensed with, notes being kept by the Court instead, ...	IV. „	XXXVII.	
Notice - -	to be given previous to a Commission proceeding with the investigation of Village Boundary Disputes, ...	X. „	IV.	
	of local rules instituted by a Magistrate to be published in writing, ...	XII. „	XIX.	6
	of the assessment of Jagheer Land,	XVII. „	XXXVIII.	1
	of assessment of land held exempt from public revenue on condition of performing service &c., not fulfilled,	„	„	3
	of assessment of land suspected by the Collector to have a defective title to exemption, ...	„	XL.	2 to 5
	of periods when the Land Revenue of Bombay is due, ...	XIX. „	IV.	1
	public, of sales &c. in Bombay. License to give, by beat of battakee,	„	XIII.	
	of Appeal to the Court of Petty Sessions on assessment of Horses and Carriages in Bombay, ...	„	XXV.	4
	of transfer of lands, houses and tenements in Bombay subject to the payment of quit or ground rents to Government,	„	XXIX.	
	of sale by auction of confiscated opium seizures, ...	XXI. „	VI.	5
	of do. of confiscated Tobacco, foreign Snuff and Ganza, ...	„	XLIII.	1
Noxious - -	trades and occupations, how far they may be suppressed by the Magistrate,	XII. „	XIX.	
Nuisance -	how a Magistrate may remove, prevent, or punish, ...	„	„	
Nux Vomica	sale of, how restricted, ...	XIV. „ XXI. „	XX. Chap. IX.	
Nuzzer - -	see "*Present.*"			
Oath - -	falsely made, or breach of, how punished,	XIV. „	XVI.	
	to be administered in matters of Civil Judicature when admonition is deemed insufficient, ...	IV. „	XXXIV.	3
	and in what manner, ...			
	also in Criminal Courts, ...	XIII. „	XXXVI.	2

		REG.	SECT.	CLAUSE.
Oath - -	to be taken by the Judges of the Suddur Dewanny Udalut, ...	II. 1827.	IV.	
	do. by the Register and Assistant Registers, ...	„	XI.	1
	Administerers of in the Suddur Dewanny Udalut, ...	„	XV.	
	to be taken by Zilla Judges, ...	„	XIX.	
	do. Acting Zilla Judges, ...	„	XX.	2
	do. Assistant Judges, ...	„	XXVIII.	1
	Administerers of in Zilla Courts,	„	XXXIII.	
	to be taken by Members of a Commission for trying Village Boundary Disputes,	X. „	III.	
	to be taken by the Superintendent of Stamps, ...	XVIII. „	I.	
	to be taken by Judges of the Suddur Foujdary Udalut, and Registers and Assistant Registers of that Court,	XIII. „	III.	2
	and by Registers and Assistant Registers to the Special Court, ...	„	IV.	3
	and to the Court of Circuit, ...	„	VI.	1
	Administerers of in the Special Court,	„	IV.	3
	Court of Circuit, ...	„	VI.	1
	Criminal Judge's Court, ...			
	to be taken by Criminal Judges,	„	VII.	2
	and by their Assistants, ...	„	VIII.	1
	to be taken by Zilla Magistrate's and their Assistants, ...	XII. „	III.	5
	by Collectors of Land Revenue,	XVI. „	„	1
	and by their Assistants, ...	„	V.	
	to be taken by Collector of Bombay and Assistants, ...	XIX. „	I.	2
	do. Senior Police Magistrate as Revenue Judge, of Bombay, ...	„	VI.	
	do. Assessor of Houses in Bombay,	„	XVIII	1
	do. Collector of Customs and covenanted servants under him, ...	XX. „	V.	
	do. Members of Military Courts of Requests, ...	XXII. „	VII.	3
	do. Superintendent of Bazars,	„	XXIII.	
	paupers to verify their poverty by oath or solemn declaration, ...	VI. „	II.	1
	the oath of a Plaintiff in an ex-parte suit may be taken as evidence,	IV. „	XXII.	2
	in Civil Suits a matter may (with the consent of both parties) be decided by the Affidavit of either, ...	„	XXVIII.	
	a witness in a Civil Suit may be required to make oath, ...	„	XXXIV.	3
Occupant -	of land paying public revenue. The settlement to be made with him, who is to be so considered, ...	XVII. „	III.	1
	in his absence with whom the settlement is to be made, ...	„	„	2
	a person holding the land from him may be made liable for the revenue, or such part of it as has not been paid to him, but sums paid in anticipation of the period of becoming due are not to be so allowed for, ...	„	V.	2
	may give up the land, but notice must be given previous to the commencement of the season otherwise he will be liable for loss incurred, ...	„	VI.	1
	and if the land be nominally charged with assessment on account of some other			

		REG.		SECT.	CLAUSE.
Occupant -	land which is thereby held exempt they must both be given up together,	XVII.	1827.	VI.	3
	to be informed by the Collector at what periods and to whom the instalments are to be paid, ...	„		X.	
	consent of, to the appropriation by a farmer of crop deposited, ...	„		XXIII.	3
Offender -	see *"Apprehension," "Trial," "Sentence," "Pardon," "Jail."*				
Offence - -	of Criminal or penal nature in general, how defined, ...	XIV.	„	Chap. I.	
	how punished, see *"Punishment."*				
	attempt to commit, how punished,	„		I.	2 & 4
	accidental commission of, how noticed,	„		„	3 & 4
	instigating or aiding an offence, how punished, ...	„		„	5 & 8
	concealing an offence, how punished,	„		„	6, 7, 8
	trial for one offence not to bar the trial for another committed at the same time,	„		„	9
	committed in foreign territories, how punishable if committed by native subjects of the Bombay Government,	XI.	„	IV.	
	against the state in its political relations, against the public, against the person, against property, — how named, defined, and punishable.	XIV.	„	Chap. III. „ IV. „ V. „ VI.	
	in what cases they may be prosecuted in the Civil as well as Criminal Courts,	„		II.	
	and how to be tried during suspension of Civil Law, ...	XII. / I.	„	VIII. / IX. X. and XI.	1
	against the state to be tried by a Special Court, ...	XIII.	„	I.	2
	indemnity or pardon for may be granted by Government, ...	„		XXXI.	3
Offices - -	hereditary, occupation of them during thirty years as proprietor to establish the right, ...	V.	„	I.	1 & 3
	but fraudulent occupation may be litigated until sixty years, ...	„		„	2 & 4
	an office in the Revenue Department renders the holder liable to act as arbitrator, ...	VII.	„	II.	1
	subordinate to Judges, Magistrates, Registers, or their Assistants, not to be held by their creditors, ...	XXIII.	„	„	
Office - -	Stamp Office, see *"Stamp."*				
Officers - -	Ministerial Officers, Native Officers, — see the respective head.				
	European Civil Officers: see the respective Department or head,				
	charges of corruption or extortion against European Civil Officers to be reported to Government by the Zilla Judge,	II.	„	XXV.	1
	if in the Revenue or Police Department by the Zilla Magistrate, ...	XII.	„	VIII.	4
	what process is to be adopted when a Civil Suit is instituted against a public Officer,	IV.	„	V.	2
	what Officers are bound to act as arbitrators, ...	VII.	„	II.	1 & 2
	certain covenanted Officers prohibited from having money transactions with persons of a certain description, ...	XXIII.	„		

		REG.		SECT.	CLAUSE.
Officers - -	and creditors of the said Officers precluded from being employed in situations subordinate to them, ...	XXIII.	1827.	II.	
	Collectors of Land Revenue and their Assistants prohibited from holding farms or being personally concerned in the revenue, and from trading or purchasing goods as a remittance, ...	XVI.	„	VII.	
	of Police who do not belong also to the Revenue Department are liable to the same rules as those who do,	XII.	„	VIII.	3
	not to be employed by Collectors of Land Revenue or their Assistant in private affairs, ...	XVI.	„	VII.	1
	commissioned—in the Bombay Native Army, not British born subjects, amenable to the Jurisdiction of Military Courts,	XXII.	„	III.	1
	non-commissioned—do. do.	„		„	
Old Woman's Island - -	rules for the importation and sale of Tobacco, foreign Snuff, and Ganza—and penalties for smuggling, abetting or concealing, or illegally retailing do. similar to those regarding Colaba—see "*Colaba.*"	XIX.	„	XVII. XVIII. XXIII. Chap. VIII.	2 1
Omission -	in a Decree, to be rectified by a revision, see "*Revision.*"				
Opium - -	Custom Duties chargeable on, imported into Bombay and its subordinates—with exceptions, ...	XXI.	„	Chap. I.	
	what opium is not liable to the Custom Duty, ...	„		I.	2
	imported opium may be deposited for twelve months without paying duties, at the owner's option, ...	„		II.	
	if imported contrary to the rules to be considered smuggled—and confiscated with its accompaniments, ...	„		III.	
	persons keeping smuggled opium to forfeit double its value, besides double the amount of duty on it, ...	„		IV.	
	duty of seizure rests with the Collector of Sea Customs, or Land Revenue, or Police Magistrate, or any person on their establishments—notice to be given to the officer in charge of the collection of Customs on the spot, ...	„		V.	1
	those officers may issue a search warrant on information on oath, for the seizure of smuggled opium, breaking open doors or chests or packages if necessary between sunrise and sunset, ...	„		„	2
	such opium and packages remaining unclaimed during one month to be confiscated, ...	„		VI.	1
	if claimed, and on suit instituted within three months the opium be proved to have been legally imported and the duties paid, to be restored; otherwise, to be confiscated, ...	„		„	2
	where the opium seized does not in quantity exceed one maund, and articles seized with it do not exceed in value 500 Rupees, the suit may be decided summarily by the Court of Petty Sessions in Bombay or before a Zilla Magistrate,	„		„	3

		REG.	SECT.	CLAUSE.
Opium - - -	articles seized with the opium may be recovered by the owner on suit, even in default of claim within one month,	XXI. 1827.	VI.	4
	confiscated seizures to be sold by auction after public notice of one week; one third to be given to the informer, if any,	,,	,,	5
	if the price obtained be not less than twelve Rupees per Seer, on payment of the purchase money the opium to be delivered to the purchaser—otherwise, to be put in charge of the officer supplying the licensed retail trade in opium,	,,	,,	6
	if the act of abetting smuggling is committed within the Zilla Court's Jurisdiction, the penalty to be enforced before the Magistrate or Criminal Judge—but the penalty of imprisonment in commutation of forfeiture not to exceed two years, ...	,,	VII.	1
	if within the Supreme Court's Jurisdiction, to be prosecuted by the Collector of Customs on opium, before the Court of Petty Sessions, and the forfeiture levied or commutation awarded there; if the amount of the forfeiture exceed Rupees 500, the case to be determined by the Supreme Court, ...	,,	,,	2
	licensed dealers to be furnished by the Collector of Land Revenue &c. with opium from the depôts for retail trade,	,,	VIII.	
	what is to be contained in pass for opium purchased from a depôt for retail in another place—packages to be examined, and non-conformity of the quantity with the statement in the pass to render the opium liable—on excess, to confiscation—on deficiency, to a duty of Rupees twelve on the quantity deficient,	,,	IX.	
	retailers of opium, viz. selling at one sale less than two Surat maunds, to obtain a license from the Collector of Land Revenue, on pain of fine of fifty Rupees for every sale and confiscation of all opium found on the spot.	,,	X.	1, 2, 3
	possession of above quarter Surat Seer not legally procured renders the party liable to punishment for abetting smuggling, ...	,,	,,	4
	possession of smuggled opium by retailers renders the party liable to forfeiture of license, confiscation of opium found on the spot and the punishment of abetting smuggling, ...	,,	,,	5
	licenses what to contain—limitation of time and place—and quantity of opium furnished to the retailers—board to be affixed—monthly return to be furnished to the Collector, on pain of forfeiture of license and confiscation of opium found, ...	,,	XI. to XV. App. A.	
	book of sales to be kept on each license, with liberty of inspection to the Collector &c.—retailers failing to produce it, or obstructing search of opium in the			

		REG.		SECT.	CLAUSE.
Opium - -	place of sale between sunrise and sunset, or making false entry therein, to suffer forfeiture of license and confiscation of opium found, ...	XXI.	1827.	XVI.	
Ordinary -	imprisonment, how inflicted, ...	XIV.	„	VII.	3, 4, 5
Original -	Suits, see "*Suit.*"				
	when the original of any paper required in an Appeal to the Suddur Udalut cannot be forwarded, how a copy is to be substituted, ...	IV.	„	LXXIX.	3 & 4
Ornaments -	altering the appearance of for fraudulent purposes, how punishable, ...	XIV.	„	XXI.	
Owner - -	see "*Proprietor.*"				
	of stolen goods may reclaim them when found, though in the hands of a third person, ...	„		XLI.	2
Pardon - -	the Court of Suddur Foujdary Udalut may recommend Government to pardon a convict either wholly or in part of the sentence, ...	XIII.	„	XXXI.	1
	and suspend the sentence of the interim, ...				
	if granted the decision shall be accomplished though the medium of the said Court, ...	„		„	2
	may be granted, either wholly or in part, by Government at its own discretion, and how conducted, ...	„		„	2 & 3
	may be offered to an accomplice on condition of his furnishing evidence, by a Magistrate, Court of Circuit, or Suddur Foujdary Udalut, ...	XII.	„	XXXIV.	
	unless in a case of treason, when the offer must be sanctioned by Government,	„		XXXVI.	
	a certificate of pardon to be furnished, which is to be unconditional, the accomplice being liable only as other witnesses in giving his testimony, ...	„		XXXV.	1
Parent - -	in time of famine may sell a child, the right of redemption being reserved for ten years, ...	XIV.	„	XXXI.	
Partnership	see "*Share.*"				
Party - -	in a Civil Suit, see "*Plaintiff,*" *and* "*Defendant,*" "*Appellant,*" "*Respondent.*"				
	parties entitled to copies of the proceedings in their suits, ...	III.	„	XII.	
Pass - - - -	for opium purchased at the depôts for retail in another place, ...	XXI.	„	IX.	
	for the manufacture and removal of mowra at a Suddur Distillery, ...	„		LVII.	2
	for the removal of liquor from a Suddur Distillery, ...	„		LXIII.	2
	for extra supplies of do.	„		„	3 & 4
	for coasting vessels, ...	XX.	„	XXI.	
Passport -	how Europeans and Americans unprovided with are to be dealt with by the Magistrate, ...	XII.	„	X.	3
	fee on, issued to Europeans by the Senior Magistrate of Police at Bombay,	XIX.	„	XXX.	1
Patell - -	see "*Head of a Village.*"				
	of a caste—fee on commission issued to, in Bombay, ...	„		„	1

		REG.		SECT.	CLAUSE.
Pauper - -	a person applying to be admitted as such may be examined by the Law Officers,	VI. 1827. II.	„	II. XXIX.	2 5
	how a pauper is to petition to be admitted to file a suit, ...	VI.	„	I.	1
	to present a written declaration of poverty,	„		„	2
	and a schedule of his property,	„		„	3
	and a certificate of the fact, which may in certain cases be dispensed with,	„		„	4
	the fact to be verified by oath or solemn declaration, ...	„		II.	1
	and supported by evidence if required,	„		„	2
	which may be taken in a summary manner,	„		„	3
	if a false statement be thus made it is punishable as perjury, ...	„		XIII.	
	a pauper's appearance how to be secured,	„		III.	1
	having disposed of property for the purpose to disqualify him, ...	„		„	2
	what amount of property disqualifies from suing as a pauper, ...	„		„	2
	paupers to be exonerated from the expense of stamped paper and other charges,	„		IV.	
	how to be provided with Pleaders,	„		V.	
	how the Pleaders are to be remunerated,	„		VII. and VIII.	
	how costs defrayed, ...	„		VI. VII. and VIII.	
	if costs are awarded to a Defendant against a Pauper Plaintiff, how recoverable,	„		IX.	
	a Defendant may be admitted to Plead as pauper under the same provisions as a Plaintiff, ...	„		X.	
	and a party may sue or defend in Appeal as a pauper under the same rules as in an original Suit, ...	„		XI.	1
	refusal by a Zilla Judge to admit a party as a pauper may be reversed by the Sudder Udalut, ...	„		XII.	
	Pauper Plaintiffs are not exempted from the penalties for vexatious complaints,	„		XIII.	
Pawn - -	property held in pawn is recoverable by law without any limitation of time for bringing the action, ...	V.	„	VIII.	
	property pawned as security, see "*Mortgage.*"				
Payment -	interest to cease on payment of the debt being tendered, ...	„		XIV.	
	of Land Revenue, Receipts how to be furnished and recorded, ...	XVII.	„	XV.	1
Peace - -	Justice of, see "*Justice of the Peace.*"				
	Breach of, see "*Assault,*" *Breach.*"				
	precautionary measures for preserving, see "*Recognizance,* "*Security,*" "*Expulsion,*" "*Dispersing unlawful Meetings,*" "*Seizure of unlawful Implements,*" "*Baharwuttaee.*"				
	others of less formal nature are detailed in, ...	XII.	„	XXVII.	2
Penal - -	acts in general, how defined, ...	XIV.	„	Chap. I.	
Penally - -	for Criminal offences in general, see "*Punishment.*"				
	for vexatious plaints in Civil Courts, see "*Vexatious.*"				
	for misconduct of Native Officers attached to Civil or Criminal Courts, see "*Native Officers.*"				

		REG.		SECT.	CLAUSE.
Penalty - -	for misconduct of Kazees, see "*Kazee.*"				
	for misconduct of Stamp Venders, see "*Vender of Stamps.*"				
	for sale of stamps by or purchase of them from any one but an authorized vender,	XVIII.	1827.	IX.	
	for illegal printing, ...	XXIV.	„	II.	
	for illegal circulation of books and papers,	„		III.	
	to which Kazees are liable for omitting to record Marriages and Divorces,	XXVI.	„	VIII.	
	for refusing aid to a landholder vested with Police Authority, ...	XV.	„	III.	
	for official misconduct of such landholder,	„		XIX.	
	for contempt committed in a Civil Court,	IV.	„	LI. LV. and LVI.	1
	and in a Criminal Court, ...	XIII.	„	XI.	
	if in a Court of Circuit, twenty-five stripes may be added, ...	„		XX.	2
	for a witness neglecting to attend in a Criminal Court, ...	„		XXXIV.	1
	to be levied by order of the Court before which the final trial is held, which may mitigate, ...	„		„	8
	or refusing to answer or conform to rules,	„		XXXVI.	4
	for non-compliance with a Magistrate's order of impressment, ...	XII.	„	XVIII.	3
	for misconduct of domestic servants,	„		„	3
	for disobedience to local police rules,	„		XIX.	6
	for contempt of any Police Authority,	„		XXIII.	
	for infringement of certain precautionary restrictions for police purposes, agreed to by a suspected individual,	„		XXVII.	2
	for returning to a Zilla from whence the party has been expelled, ...	„		XXVIII.	3
	for not complying with a Magistrate's order issued to an unlawful meeting to disperse, ...	„		XXIX.	
	for refusing aid or information to a Police Authority, or refusing to sit on an Inquest, ...	„		XXXI. XLVI. and LII.	1 2
	for refusing to attend as witness or depose before a District Police Officer,	„		XLI.	2
	for contumacy towards the Head of a Village, ...	„		L.	3
	for misconduct of an Officer on the establishment of a Collector of Land Revenue, ...	XVI.	„	IX.	1
	for using public money, trading, or receiving presents, if committed by a Native Officer entrusted with the collection or charge of public money in the Land Revenue Department, ...	„		XI.	3
	for official misconduct of a Tullattee, or his receiving presents, ...	„		XXVII.	
	for reaping a crop laid under restriction by the Collector, ...	XVII.	„	XI.	1
	for removing the same, ...	„		„	2
	to which a Tullatee (or person acting for him) is liable for neglecting to countersign or record a Land Revenue Payment,	„		XV.	1 & 4
	or for refusing to furnish or shew Village Accounts to those concerned,	„		„	3 & 4
	for undue revenue exactions, ...	„		XVI.	1 & 3

		REG.	SECT.	CLAUSE.
Penalty - -	for not taking out license in Bombay to erect wedding sheds &c., to use country music without doors, and to give public notices by battakee, ...	XIX. 1827.	Chap. II. XIV.	
	for giving false statement in, delaying or obstructing, the assessment on Carriages and Horses within the Island of Bombay, ...	,,	XXV. and XXVI.	
	for neglecting to give notice to the Collector of the transfer of lands, houses and tenements subject to the payment of quit or ground rents in Bombay, ...	,,	XXIX.	
	for smuggling opium—breach of the rules for its retail sale, and obstructing search,	XXI. ,,	Chap. II. IX. X. XIII. XV. XVI.	3 3, 4, 5 2 3
	for illegally importing into Bombay Tobacco, foreign Snuff and Ganza,	,,	XXXIV. XXXVI. to XXXIX.	
	for smuggling Tobacco, foreign Snuff and Ganza at Bombay.	,,	Chap. VIII.	
	for breach of rules regarding spirituous liquors, ...	,,	Chap. XIII.	
	in the Sea Customs Department (not confiscation of specified articles) if not paid on demand how to be enforced,	XX. ,,	XXXIII.	2
	for offences against Military Discipline, tried by Court Martial, execution of,	XXII. ,,	IV. to VI.	
	for serious offences within Military limits committed by persons specified,	,,	X.	
	for embezzlement &c. of Military Stores,	,,	XI.	
	for false testimony by persons specified,	,,	XII. XV. and XXV.	
	for aiding escape of convicts by Court Martial, ...	,,	XVI.	
	for persuading to desert, harbouring deserters, giving false musters, or receiving Military Stores or equipments,	,,	XVII. to XIX.	
	for trivial offences cognizable by a Superintendent of Bazars, ...	,,	XXVI.	3
	for offences by British born subjects,	,,	XXVIII.	
	for offences committed by camp followers on a march, ...	,,	XXXV.	2
	for unlicensed sale of spirituous liquors,	,,	Chap. IX.	
	Bond—to be executed by a person entering into recognizance in Criminal matters,	XII. ,,	XXIV.	1
	and by a person becoming security,	,,	,,	3
	taken by a Criminal Judge or Magistrate may be annulled or reduced by a Court of Circuit, ...	XIII. ,,	XVII.	2
	for the attendance of a witness before a Criminal Court, ...	,,	XXXIV.	1
Penang - -	declared open to specified certificate privileges, ...	XX. ,,	I.	3
Peon - - -	to be stationed at markets, ...	XII. ,,	XL.	4
Period - -	of time for cognizance of Civil Suits, see *"Limitation of time for prosecuting Civil Actions."*			
	during which Interest may continue, see *"Interest."*			

		REG.		SECT.	CLAUSE.
Period - -	of time for cognizance of Criminal offences, or such other matters as may be limited in duration, see "*Limitation*," or the respective head.				
	at which Circuits of Session are to be made,	XIII.	1827.	V.	2 & 3
Periodical -	returns required by the Suddur Dewanny Udalut must be sanctioned by Government, ...				
	also those required by the Suddur Foujdary Udalut, ...	„		XXIX	2
	report of the state of police and matters connected with Criminal Judicature to be made to Government by the Suddur Foujdary Udalut, ...	„		XXXIII.	3
	see "*Returns*."				
Perjury - -	a party making false oath or declaration of Pauperism liable to the Penalty for Perjury, ...	VI.	„	XIII.	
	also a witness deposing falsely after receiving the formal admonition,	„		XXXIV.	2
	committed in a Civil Court shall be tried in a Criminal Court, ...	„		„	4
	witness appearing to have committed Perjury to be transferred to the Criminal Court, ...	IV.	„	„	4
	false testimony before a Commission for trying Village Boundary Disputes amounts to Perjury, ...	X.	„	IX.	1
	or before a Collector when investigating causes for dismissing a hereditary or Village Revenue Officer, ...	XVI.	„	XVII.	3
	false testimony, in Civil Suits before the Collector, ...	XVII. IV.	„ „	XXXII.	2
	do. before Native Courts Martial,	XXII.	„	V. and XV.	2
	do. do. how punishable, ...	„		XII. and XV.	
	do. before Superintendent of Bazars,	„		XXV.	
	do. before Court Martial or Commanding Officers in case of camp followers on a march, ...	„		XXXVII.	
	in general, how defined, ...	XIV.	„	XVI.	1
	how punished, ...	„		„	2
	not to be tried by the person before whom committed, ...	„		„	3
Permit - -	on Tobacco, foreign Snuff, or Ganza, imported or subsequently removed, in Bombay, ...	XXI.	„	XVII.	3
	to be obtained from the Collector of Land Revenue—what to specify, ...	„		XXII.	
	penalty for neglecting to obtain it,	„		XXXIV.	5
	on the landing and shipment of goods,	XX.	„	XIV.	
	on the exportation of goods, ...	„		XX. to XXV.	
	on embarking or landing His Majesty's or or the Honorable Company's Military or Marine Stores or goods, ...	„		XXIX.	
Persian - -	in what matters that language is directed to be used, see "*Language*."				
Person - -	Criminal offences against the, how defined and punishable, ...	XIV.	„	Chap. V.	
Personal Restraint -	as a mode of punishment, how inflicted and for what period, ...	„		XI.	
	violence or restrainst, among the circumstances which constitute robbery by force, ...	„		XXXVI.	3

		REG.	SECT.	CLAUSE.
Personal Restraint -	abuse or insult, see "*Offences against the Person*," or "*Abuse*."			
Petition -	or Plaint in a Civil Suit, see "*Plaint*."			
	of Appeal—see "*Appeal*."			
	to be written on stamped paper, with exceptions, ...	XVIII. 1827.	XV.	1 & 2
	relating to the administration of Criminal Justice or the public welfare to be received by the Judge on Circuit,	XIII. „	XVI.	5
Petty Sessions	Court of, in Bombay, Appeal to, from the decision of a Justice of Peace acting within the Presidency of Bombay, or Collector being such Justice of Peace, on penalties &c. incurred on account of the assessment on shops and stalls, of licenses to erect wedding sheds, to employ country music, and give public notices, ...	XIX. „	XV.	
	authorized to inspect and control the application of the sums levied on the above accounts, and to make order on the Collector of Bombay for disbursements and call on him for accounts, ...	„	XVI.	
	Court of—authorized to confirm reduce or disallow assessment on houses in Bombay, against which, as made by the Assessor, the owner may appeal to the Court—and to order the payment of taxed costs of such appeal by either party —and to certify their decision to the Collector of Bombay, ...	„	XXI.	1
	Appeal to be made during the month in which the Assessor's books are open to public inspection ten days notice to be given by Appellant to the Collector, in default of which the assessment to be confirmed, ...	„	„	2
	Plans and Estimates of improvements in Bombay to be defrayed from the produce of the house-tax to be prepared under their superintendence for the approval Government, ...	„	XXIII.	2
	empowered to make order on the Collector of Bombay for sums required for such purposes, and call on him for accounts of receipts and disbursements on any occasion, ...	„	„	3
	Appeal to this Court from persons overcharged by Assessment on Carriages and Horses within the Island of Bombay—to give eight day's notice—and ten day's notice to the Assessor—in default of notice the assessment or surcharge to be confirmed, ...	„	XXV.	4
	may adjudge forfeiture not exceeding 100 Rupees on conviction by oath of obstructing the assessment, recoverable by distress and sale, ...	„	XXVI.	1
	the amount of collections and surcharges to be paid into the treasury and applied to the repair and improvement of the roads in the Island under the inspection of the Court of Petty Sessions,—the expenditure being sanctioned by Government,	„	XXVII.	1

		REG.		SECT.	CLAUSE.
Petty Sessions	empowered to make order on the Collector for disbursements and receive annual accounts from him and accounts of receipts and disbursements when required.	XIX.	1827.	XXVII.	2
	to lay before the Governor in Council plans and estimates of proposed improvements —and report to him the completion of works sanctioned, ...	„		XXVIII.	
	Court of—rules for levying fees in,	„		XXX.	
	Jurisdiction in Suits instituted for the recovery of opium seized as smuggled, if within the Jurisdiction of the Supreme Court the quantity of opium not exceeding one Maund nor the value of the articles seized with it Rupees 500,	XXI.	„	VI.	3
	penalty for abetting the smuggling of opium to be prosecuted in, if within the Jurisdiction of the Supreme Court, and the amount of forfeiture not exceeding Rupees 500, ...	„		VII.	2
	license to be granted by, for the sale in Bombay of imported Tobacco, foreign Snuff, or Ganza—exception in the case of Tobacco, ...	„		XXIII.	
	provisions for the grant or renewal of do.	„		XXIV. to XXVIII.	
	recovery of Tobacco, foreign Snuff or Ganza, on proof of having been unduly seized, by instituting a suit before the Petty Sessions within twenty days from the seizure, ...	„		XLI.	1
	forfeitures on the smuggling or illegal sale of do. adjudged by, how levied,	„		XLII.	
Plaint	Civil Action, see "*Suit.*"				
	form and particulars of a Plaint for instituting a suit, ...	IV.	„	III.	
	how numbered, dated, and recorded,	„		IV.	
	priority how to be determined,	„		„	5
	if for a matter of more than 100 Rupees in value it must be written on stamped paper, ...	XVIII.	„	XV.	1
	and how if it be a Supplemental Plaint,	„		„	3 & 4
	in Civil Suit instituted before the Collector, see "*Superintendent of Bazars.*"	XVII.	„	XXXII.	1
Plaintiff	in Criminal or Police matters, see "*Complainant.*"				
	in Civil Suits—if not residing within the Zilla may be required to furnish security for payment of eventual costs, and compliance with orders of the Court,	IV.	„	XII.	
	he may see and copy the Defendant's answer, and in certain cases file a reply,	„		XIV.	1
	he may see and copy the Defendant's rejoinder, ...	„		XV.	2
	he may withdraw his suit by filing a Razeenama but will not thereby be relieved from the consequences of having instituted it, ...	„		XVIII.	
	if a Plaintiff do not attend at the time fixed for trial, his suit may be struck off the file, ...	„		XXI.	
	but he may institute a new suit,	„		„	4
	a Plaintiff procuring an attachment on particular property is to be satisfied from				

		REG.		SECT.	CLAUSE.
Plaintiff -	its proceeds in preference to others who may subsequently attach it, see "*Suit*," "*Superintendent of Bazars.*"	IV.	1827.	LXVIII.	
Pleader - - -	a prisoner on trial for a Criminal offence allowed to employ a Pleader,	XIII.	„	XXXVIII.	1
	negligence or misconduct committed by —how punishable, ...	II.	„	I. LVI. VI. and XXV.	3 & 4 3 & 4 2 & 3
	qualification by Sunnud, ...		„	XLVII.	1
	may act in a Commissioner's Court without a Sunnud, ...		„	„	2
	a Vakalut Nama or Power of Attorney required for each case in which a Pleader acts, ...		„	L.	1
	a Pleader may act for Government on a general Vakalut Nama, a Duplicate being filed in the Zilla Court, ...		„	„	4
	how to be examined previous to appointment, ...		„	XLVIII.	2
	how appointed, ...		„	„	3 & 1
	a retaining fee to be paid to a Pleader before he commences on the business,		„	L.	2
	a Vakeel may be discharged by the party while the suit is pending, ...		„	LIII.	3
	penalty for non-performance of duty,		„	L. and LI.	3 & 4 2
	a Pleader's Duties, ...		„	LI.	
	his remuneration, ...		„	LII. LIII. and LV.	
	how remunerated if a suit be withdrawn previous to trial or the demand acknowledged, ...		„	LIII.	1
	how if more than one Pleader are engaged by the same party, ...		„	„	2
	how if a party discharges his vakeel before a suit is decided, ...		„	„	4
	how in case of the resignation, dismissal, or death of a Pleader while the suit is pending, ... fine for negligence, ...		„	LIV.	3
	a Pleader may be appointed by the Court to act for a Pauper, ...	VI.	„	V.	
	how he is to be remunerated, ...		„	VII. and VIII.	
	the Vakalut Nama to be delivered with the Plaint, ...	IV.	„	III.	2
Pleading -	in a Civil Suit, see "*Plaint*," "*Answer*," "*Reply*," "*Rejoinder.*"				
	Supplemental Pleadings may be admitted,	IV.	„	XVII.	2
	if Pleadings are not filed at the appointed time the trial shall not thereby be delayed, ...		„	XIX.	2
	Pleadings to be made in writing,	III.	„	III.	1
	in Civil Suits before the Collector,	XVII. IV.	„ „	XXXII.	2
Pledge - -	property held as a pledge is recoverable by law without any limitation of time for bringing the action, ...	V.	„	VIII.	
	property pledged as security, see "*Mortgage.*"				
Poison - -	the sale of certain specified substances how restricted by license and punishment for selling without the same, ...	XIV.	„	XX.	1

		REG.	SECT.	CLAUSE.
Poison - -	punishment for omitting certain specified precautions at the sale, ...	XIV. 1827.	XX.	2
	list of the restricted articles, which may notwithstanding be administered by medical practitioners, ...	„	„	3
	prohibition of the sale by retail of specified articles without annual license granted by the Collector of each Zilla—registry and fee thereon, book of sales to be kept—forfeiture of license,	XXI. „	Chap. IX.	
Police - -	local rules of, may be established and supported, see "*Local Rules of Police.*"			
	Duties—to be conducted by the Criminal Judge and Zilla Magistrate,	XII. „	I.	
	authority, may be vested in landholders,	XV. „	„	
	for particulars, see '*Landholder.*"			
	the Judges of Circuit to report the state of to the Suddur Foujdary Udalut,	XIII. „	XXIII.	4
	which shall report to Government,	„	XXVII.	1
	Officers, see "*Magistrate,*" "*District Police Officer,*" "*Head of a Village.*"			
	general rules for, see "*Magistrate.*"			
	of a subdivision or District, see "*District Police Officer.*"			
	of a Village, see "*Head of a Village.*"			
	how responsible for robberies, ...	XII. „	XXXVII.	2
	Officers and Establishments, how to afford mutual aid, ...	„	XXXI.	
	not entitled to proclaimed rewards for the apprehension of offenders, but may be remunerated at discretion, ...	„	XXXII.	5
Political	see "*Treaty.*"			
	when required by political relations emigrants or aliens or their descendants may be removed from the vicinity of the country to which they originally belonged, or confined as state prisoners,	XI. „	VIII.	
	Native Subjects of Bombay, how punishable for offences committed in foreign states, ...	„	IV.	
	subjects of foreign states, in what cases to be given up to them, ...	„	V.	
	Government may act in law suits as Attorney for Chieftains, Princes, &c.	III. „	III.	2
	offences, to be tried by a Special Court only, ...	XIII. „	I.	2
	how they are defined, ...	XIV. „	Chap. III.	
	the Magistrate to apprehend persons supposed guilty of such and report the same to Government, ...	XII. „	X.	5
	the culprits not entitled to bail,	„	XXV.	
Porter - -	pressing of, see "*Impressment.*"			
Possessor -	distinction between a possessor and proprietor, ...	V. „	VIII.	
Postponement	see "*Adjournment.*"			
Potail - -	see "*Head of a Village.*"			
Power - -	of Attorney—see "*Attorney.*"			
Precautionary Measures	in Police a Criminal Court may forward a prisoner to a Magistrate to be bound over to good conduct, ...	XIII. „	XLI.	
	for preserving the peace, see "*Recognizance,*" "*Security,*" "*Expulsion,*" "*Dispersing unlawful Meetings,*" "*Seizure of unlawful Implements,*" "*Baharwuttaee.*"			
	others of less formal nature are detailed in,	XII. „	XXVII.	2

		REG.		SECT.	CLAUSE.
Precautionary Measures	for securing the payment of Land Revenue, see "*Crop.*"				
Precept	issued by the Court of Suddur Foujdary Udalut or of Circuit to a Criminal Judge, how its execution is to be certified,	XIII.	1827.	XV.	1
Pregnancy	removing artificially, see "*Abortion.*"				
Preliminary	the first Regulation of the Code so denominated, ...				
Prescriptive	Custom—as title to exemption from payment of Land Revenue, ...	XVII.	„	Chap. IX.	
Presidency	see "*Bombay.*"	II.	„	Appendix E.	
	see "*Collector of Bombay,*" "*Assessor,*" "*Magistrate,*" and "*Collector of Sea Customs.*"				
	requisitions for military aid at, ...	XXII.	„	XLIV.	
Presents	receiving presents from any one concerned in the execution of Civil process in which the receiver is employed to be deemed extortion, ...	II.	„	XXXVI.	1
	also in police process, ...	XII.	„	VIII.	1
	Kamavisdars and Native Officers on the establishment of the Collector of Land Revenue who are entrusted with the charge or collection of public money prohibited from receiving presents,	XVI.	„	XI.	2
	and punishable for the same, ...	„		„	3
	and the donor may recover the amount by Civil Action, ...	„		„	5
	Village Accountants also so prohibited, and how punishable, ...	„		XXVII.	2
	received by Land Revenue Officers at the Presidency, how punishable,	XIX.	„	V.	
	by Native Officers in the collection of Sea Customs at subordinates, ditto,	XX.	„	XI.	
Press	or instruments for printing, not to be used without license, which may also be recalled, ...	XXIV.	„	I.	1
	how the license is to be obtained,	„		„	2 & 3
	a copy of every print to be furnished to Government, and forms to be observed,	„		„	4
	penalty for illegal printing, ...	„		II.	1
	confiscation of illegal prints and articles used in making them, ...	„		„	2
	prohibition of the circulation of certain prints how to be conducted, ...	„		III.	1
	penalty for illegal circulation of the same,	„		„	2
	penalties to be reported to the Governor in Council, who has the power of remitting them, ...	„		IV.	
Pressing	or forcing into employment, see "*Impressment.*"				
Prevarication	how a witness is to be dealt with for prevarication, ...	IV.	„	LI. LIV. LV. and LVI.	
Princes	Native, see "*Political,*" "*Chieftain.*"				
Printing	restrictions on, see "*Press.*"				
Priority	of Civil Suits, how to be determined,	IV.	„	IV.	5
	in what cases the order of the file is to be set aside in bringing on trials, see "*File.*"				
	in applications to the Collector of Sea Customs, ...	XX.	„	X.	2
Prison	see "*Jail.*"				
Prisoner	of state, see "*State Prisoner.*"				

		REG.		SECT.	CLAUSE.
Prisoner - -	for a Criminal offence, see "*Apprehension*," "*Trial*," "*Sentence*," "*Pardon*," "*Jail*."				
	if he die in, or escape from, Jail, the Nazir how to report it, ...	XIII.	1827.	XLIII.	3
	in what cases to be admitted to bail,	XII.	„	XXV.	
	and if before a District Police Officer,	„		XLIII.	2
	a prisoner who is to be transmitted by a District Police Officer to the Zilla Magistrate, not to be detained by the former more than forty-eight hours, ...	„		„	4
Privilege -	see "*Exemption*."				
Private - -	baggage and property of individuals for personal use, may be passed free at the discretion of the Collector of Sea Customs, ...	XX.	„	VIII.	2
	property of Lascars, ...	„		XII.	4
Proceedings	of the Court of Suddur Dewanny Udalut to be recorded by the register,	II.	„	XI.	3
	of the Zilla Courts by the Seristadar,	„		XXXI.	4
	in Law Suits, see "*Plaintiff*," "*Defendant*," "*Suit*," "*Appeal*."				
	of Civil or Criminal Courts, how to be recorded, see "*Record*."				
	Judicial or Revenue, copies of to be made on stamped paper, and of what value,	XVIII.	„	XX.	
Process - -	in Civil Suits, see "*Summons*," "*Arrest*," "*Security*," "*Sequestration*," "*Alienation*," "*Trial*."				
	in Criminal Matters, see "*Apprehension*," "*Summons*," "*Sentence*," "*Attachment*," "*Banishment*."				
	obstruction to the process of Civil Suits, how punishable, ...	IV.	„	LII. LIV. LV. and LVI.	
	issued by the Suddur Dewanny Udalut to be executed by the Zilla Courts,	„		LXXXVIII.	
	issued by Civil Courts in general, form of,	III.	„	IX.	
	in general, forcible resistance to, how punisnable, ...	XIV.	„	XXV.	
	issued by the Suddur Foujdary Udalut, Special Court, or Court of Circuit, to be executed by the Criminal Judge,	XIII.	„	XII.	5
	Magistrates reciprocally to execute process for each other in their respective jurisdictions, and how, ...	XII.	„	XV.	1 & 2
	objections to be referred to the Suddur Foujdary Udalut, ...	„		„	3
	District Police Officers to execute process for the Magistrate, ...	„		XL.	2
	and Heads of Villages for Magistrates or District Officers, ...	„		XLVIII.	3
	may be withheld in the Court of Petty Sessions and Offices of the Police Magistrates until the fees thereon are paid, unless cause of remission appear and be entered in the complaint book,	XIX.	„	XXX.	2
Proclamation	of the station of the Court of Suddur Udalut, ...	II.	„	I.	1
	to inform that application has been made for recognition of an Heir, Executor, or Administrator to an Estate,	VIII.	„	II.	1
	when an Administrator has been appointed by the Zilla Court, ...	„		X.	

		REG.	SECT.	CLAUSE.
Proclamation	to prohibit the alienation of a Defendant's property, ...	IV. 1827.	VIII.	9
	for the information of co-heirs when a Suit is instituted respecting succession to the property in which they have an Interest,	„	XLVI.	1
	of the sale of property in execution of a Decree, ...	„	LXVI.	2
	issued by Civil Courts, to be sealed,	III. „	IX.	
	of a Commission for trying Village Boundary Disputes, ...	X. „	I.	2
	of the commencement of a Session,	XIII. „	XIX.	1
	of a Magistrate or his Assistant being vested with extended jurisdiction,	XII. „	XIII.	2
	or with authority to commit for trial before a Court of Circuit, ...	„	„	3
	of local rules instituted by the Magistrate for public benefit, ...	„	XIX.	6
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	of pardon to an accomplice forthe sake of his evidence, ...	„	XXXIV.	2
	to be issued previous to attaching the property of a fugitive offender,	„	XXXVIII.	2
	of banishment against a person of dangerous habits or intentions, ...	„	XXXIX.	2
	to be issued when a District Police Officer is invested with extended authority,	„	XLII.	1
	to be issued when the reaping a crop without notice is prohibited, ...	XVII. „	XI.	1
	of the farm of Land Revenue,	„	XXI.	
	in case of assessment of lands held exempt from public revenue, in trust for others, on non-fulfilment of the conditions of their exemption, ...	„	XXXVIII.	4 & 5
	requiring registration of Sunnuds by persons claiming exemption from payment of Land Revenue, ...	„	XLII.	5 & 8
Procuring -	Abortion, see "*Abortion.*"			
Profit - -	the profit produced by property deposited as security for a debt to be considered equivalent to the interest unless a different agreement exist, ...	V. „	XV.	2
Prohibition -	see "*Restriction.*"			
	against Judges, Magistrates, Registers, or their Assistants, [illegible]ing money transactions with certain persons, ...	XXIII. „	I.	
	and against creditors of such Officers being employed in situations subordinate to them, ...	„	II.	
	against the circulation of books and papers, how published, and breach of how punished, ...	XXIV. „	III.	
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	against Collectors of Land Revenue or their Assistants employing public servants officially or vice versâ,	XVI. „	VII.	1
	or holding farms or being personally concerned in the revenue, ...	„	„	2
	or trading or purchasing goods as a remittance, ...	„	„	3
	against a Kamavisdar or head Native Land Revenue Officer holding a farm or being personally concerned in the collections,	„	XI.	1

		REG.		SECT.	CLAUSE.
Prohibition -	against any Native Officer entrusted with the charge or collection of money in the Land Revenue Department using it for private purposes, or trading, or receiving presents, ...	XVI.	1827.	XI.	2
	relative to trade and Customs,	XX.	„	Chap. I.	
Promises -	made to procure alteration of the law, or to render it nugatory, how punishable,	XIV.	„	XIV.	
Property -	immoveable, occupation as proprietor during thirty years to establish the right,	V.	„	I.	1 & 3
	but fraudulent occupation may be litigated until sixty years, ...	„		„	2 & 4
	damage to, may be prosecuted for in a Civil, as well as punished in a Criminal Court, ...	XIV.	„	II.	2
	how punishable, ...	„		XLII.	
	confiscation of as a punishment, see "*Confiscation.*"				
	Criminal offences, against, how defined and punishable, ...	„		Chap. VI.	
Proprietor -	distinction between a proprietor and a possessor, ...	V.	„	VIII.	
Prosecution	of Civil Suits, see "*Suit,*" *and* "*Trial of Civil Suits.*"				
	in what cases matters which constitute Criminal offences may be also prosecuted in a Civil Court, ...	XIV.	„	II.	
Prostitution	sale of a female for, how punishable,	„		XXXI.	
Protection -	of offenders, after the fact, in what cases not punishable, ...	„		II.	7
Provisions -	purchased in India for the use of His Majesty's Navy, when exempted from Custom Duties, ...	XX.	„	XXIX.	
	rules for the furnishing supplies of, on the march of troops, ...	XXII.	„	Chap. VII.	
Public - -	Criminal offences against the, how defined and punishable, . . .	XIV.	„	Chap. IV.	
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—— *Property*	injury to, how punishable, ...	„		XLII.	
—— *Resort*	places of such nature to be regulated by the Magistrate, ...	XII.	„	XIX.	
	and order preserved by the District [redacted]ice Officer, ...	„		XL.	4
—— *Tranquillity* - -	meetings militating against it, may be dispersed by the Magistrate, ...	„		XXIX.	
	Precautionary Measures for preserving, see "*Precautionary Measures.*"				
—— *Works*	land exempted from payment of revenue in consideration of preserving—liable to assessment on non-fulfilment of the conditions of the grant, under special provision, ...	XVII.	„	XXXVIII.	
Puisne - -	Judges, see Courts of "*Suddur Udalut,*" *and* "*Circuit*"				
Punchaet -	a Civil Court may take the opinion of a punchaet for its own satisfaction,	IV.	„	XXIV.	1
	but shall not be bound by it, ...	„		„	4
	also a Criminal Court, ...	XIII.	„	XXXVIII.	5
	for investigating a suspected murder, see "*Inquest.*"				
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	for offences against the religious law of the party, ...	XIV.	„	I.	1

		REG.		SECT.	CLAUSE.
Punishment	for attempting to commit an offence,	XIV. 1827.		I.	2 & 4
	for accidentally committing an offence,	„		„	3 & 4
	for instigating or aiding an offence,	„		„	5 & 8
	for concealing an offence, ...	„		„	6, 7, 8
	what sorts of punishments are admitted,	„		III.	1
	if illness or infirmity preclude undergoing any particular punishment, how to proceed, ...	„		„	2
	for the mode of executing punishments see the respective heads, "*Death*," "*Confiscation*," "*Imprisonment*," "*Flogging*," "*Fine*," "*Public Disgrace*," "*Personal Restraint*."				
	for the punishments applicable to offences of a Criminal nature, see the respective offence to which a direction will be found under the head "*Offence*."				
	for those applicable to such offences as do not come within the general description of crimes, see "*Penalty*."				
	what extent of punishment may be adjudged by particular Courts or Officers, see the respective Court or Officer.				
Purchase -	of slaves, in what cases and how punishable, ...	„		XXXI.	
Pursuit - -	of an offender beyond the jurisdiction in which it commenced, to be aided by the local police authorities,	XII.	„	XXXI. and LI.	2 2
Putell - -	see "*Head of a Village*."				
Qualification	by oath, see "*Oath*."				
	by solemn declaration, see "*Declaration*."				
	of Pleaders by Sunnud, ...	II.	„	XLVII.	1
Quit Rents -	lands, houses and tenements subject to the payment of in Bombay—rules for giving notice to the Collector of their transfer,	XIX.	„	XXIX.	
Rank - -	what consideration to be shewn to persons of respectability in certain matters of legal process, see "*Exemption*."				
Rape - -	how punishable, ...	XIV.	„	„	
Rate - -	of interest, see "*Interest*."				
	of stamped paper, for Law Plaints and Petitions of Appeal, ...	XVIII.	„	Appendix C.	
	for Supplemental Plaints and second Petitions of Appeal, ...	„		XV.	2, 3, 4
	for Answers, Replies, Rejoinders, Razeenamas, Vakalut Namas, and Applications to Civil Courts in general,	„		XVIII. or App. D.	
	for Sunnuds and certain official certificates	„		XIX. or App. E.	
	for copies of Decrees (except those issued by Native Commissioners) of Judicial or Revenue proceedings, of registered papers, and of papers authenticated by public Officers,	„		XX. or App. F.	
	of pay for pressed service, see "*Impressment*."				
Razeenama	a Plaintiff may withdraw his suit by filing a Razeenama, but will not thereby be relieved from the consequences of the suit having been instituted, ...	IV.	„	XVIII.	
	what stamp is required, ...	XVIII.	„	„	
Reaping	the Collector may under certain circumstances prevent the reaping of crops on which revenue is due, ...	XVII.	„	XI.	

		REG.		SECT.	CLAUSE.
Realization	of Land Revenue, see "*Collection.*"				
Rebellion -	how defined, ...	XIV.	1807.	XIII.	1
	how punished, ...		„	„	2
	how punished during suspension of Civil War, ...	I.	„	IX. and XI.	
Receipt - -	for payments of Land Revenue, how to be furnished and recorded, ...	XVII.	„	XV.	1
	these rules applicable to farmers and their agents, ...		„	XXV.	
Receiving -	stolen goods, how defined and punishable,	XIV.	„	XLI.	1
	a person who has in a legal manner received stolen property does not acquire a right paramount to that of the person from whom stolen, but may recover the value from him, from whom he received the property, ...		„	„	2
Recognizance	how to be entered into, a bond to be executed, and a penalty affixed, ...	XII.	„	XXIV.	1 & 2
	but the penalty shall not (unless otherwise enacted for particular cases) subject the party to more than two year's imprisonment, nor bind his conduct for more than five years, ...		„	„	
	may be redeemed at any time by the party giving himself up, ...		„	XXVI.	1
	for the circumstances to which recognizanco is applicable, see "*Security,*"				
	when forfeited how to be enforced,			„	2
Records - -	of the Suddur Dewanny Udalut to be prepared and kept by the register,	II.	„	XI.	
	of Zilla Courts to be prepared by the Seristadar, ...		„	XXXI.	
	and kept by the Recordkeeper,		„	XXXII.	
	formal records may be dispensed with if the parties desire it, notes made by the Court being substituted, ...	IV.	„	XXXVII.	
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	of Civil Courts in general, to be recorded in minutes, ...	III.	„	IV.	
	in what language, ...		„	V.	
	by whom kept, ...		„	VI.	
	in what form, ...		„	VII. and VIII.	
	how kept in Arbitration Suits,	VII.	„	VIII.	
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	to be deposited in the Zilla Civil Court,		„	XII.	
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	Government may call for records from the Suddur Dewanny Udalut, ...	II.	„	VIII.	
	which Court may call for them from Zilla Courts, ...		„	XXVII.	4
	and those from Native Commissioner's Courts, ...		„	XLIV.	
	shall be furnished to the Suddur Foujdary Udalut by Criminal Judges and Zilla Magistrates, ...	XIII.	„	XXIX.	
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		REG.		SECT.	CLAUSE.
Records	of the Criminal Judge's Court,				
	a minute book to be kept of Proceedings, and authenticated daily by signature of the Officer presiding, ...	XIII.	1827.	XIV.	1
	original exhibits, or papers presented in Court, how to be kept, ...	,,		,,	2
	these to be delivered by the Seristadar to the Recordkeeper who shall arrange a list thereof, with dates, in a day book,	,,		,,	3
	of the Court of Circuit's proceedings, how kept, ...	,,		XXI.	1
	to be deposited in the Suddur Foujdary Udalut, ...	,,		XXIII.	1 & 3
	of the Special Court, to be kept as in a Court of Circuit, ...	,,		XXV.	
	and deposited with Government,	,,		XXVI.	1 & 3
	of the Suddur Foujdary Udalut, how kept,	,,		XXXII.	1
	what records are to be forwarded with prisoners transmitted for trial before the Criminal Judge, ...	XII.	,,	XII.	
	and what with those transmitted to the Criminal Judge to be tried before the Court of Circuit, ...	,,		XIII.	3
	of trials before the Zilla Magistrate, how kept, ...	,,		XIV.	
	to contain the reasons for offering pardon to an accomplice, ...	,,		XXXIV.	2 & 3
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	to be arranged as the Zilla Magistrate may direct, ...	,,		XLVII.	
	of a Head of a Village, how kept,	,,		XLVIII. and XLIX.	3
	to be made and transmitted to Government by a Collector of Land Revenue on dismissing an Officer whose salary amounts to thirty Rupees per month,	XVI.	,,	IX.	2 & 5
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Recordkeeper	of the Suddur Dewanny Udalut—his appointment, ...	II.	,,	XII.	1
	his duties, ...	,,		,,	3
	his qualification by solemn declaration,	,,		,,	4
	to perform similar functions in the Suddur Foujdary Udalut, ...	XIII.	,,	II.	2
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	his appointment and that of his Assistants,	II.	,,	XXXII.	1
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	of any Civil Court, ...				
	how punishable for misconduct,	,,		XXXVI.	
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		REG.		SECT.	CLAUSE.
Recordkeeper	unless the duties require separate persons to be appointed, ...	XIII.	1827.	VIII.	4
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	also in the Court of Circuit, ...	„		VI.	1
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Redemption -	of a slave sold in time of famine,	XIV.	„	XXXI.	
Reference -	deed of, in Arbitration Suits, its form and contents, ...	VII.	„	III.	
Refugee - -	if a Native of India, and charged with having committed an offence in a foreign state may be given up by the Magistrate,	XI.	„	V.	1
	but in certain cases the sanction of Government must be obtained, ...	„		„	2
	and in all cases the terms of any existing treaty on this subject are to be adhered to, ...	„		„	3
	if not a Native of India nor a British born subject, the Magistrate shall report the case to Government for its orders,	„		VI.	
	and if the party be a British born subject, how he shall be dealt with, ...	„		VII.	
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	of Title Deeds, what to contain,	„		III.	
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	documents registered in the Register of Title Deeds to have preference over those not registered except in cases of fraud, ...	„		VI.	
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		REG.		SECT.	CLAUSE.
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	and their creditors precluded from being employed in situations subordinate to them,	„		II.	
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	enactments of former, continued in force or rescinded regarding the levy of Sea Customs, ...	XX.	„	Chap. I.	
Rejected - -	exhibits in a Civil Suit, how to be disposed of, ...	IV.	„	XXIX.	2
Rejoinder -	in a Civil Suit, made by the Defendant to the Plaintiff's Reply, ...	„		XV.	1
	what it may contain, ... }	„		„	2
	the Plaintiff may see and copy it, }				
	what stamp it requires, ...	XVIII.	„	XVIII.	
Relation -	of Nawaub of Surat exempted from Criminal Jurisdiction, ...	XI.	„	I.	2
	and from Civil Jurisdiction, ...	II.	„	XXI.	2
Religion -	offences against the religious law of the party, in what cases and how punishable, ...	XIV.	„	I.	1

		REG.		SECT.	CLAUSE.
Realization	of Land Revenue, see "*Collection.*"				
Rebellion -	how defined, ...	XIV.	1807.	XIII.	1
	how punished, ...		„	„	2
	how punished during suspension of Civil War, ...	I.	„	IX. and XI.	
Receipt - -	for payments of Land Revenue, how to be furnished and recorded, ...	XVII.	„	XV.	1
	these rules applicable to farmers and their agents, ...		„	XXV.	
Receiving -	stolen goods, how defined and punishable,	XIV.	„	XLI.	1
	a person who has in a legal manner received stolen property does not acquire a right paramount to that of the person from whom stolen, but may recover the value from him, from whom he received the property, ...		„	„	2
Recognizance	how to be entered into, a bond to be executed, and a penalty affixed, ...	XII.	„	XXIV.	1 & 2
	but the penalty shall not (unless otherwise enacted for particular cases) subject the party to more than two year's imprisonment, nor bind his conduct for more than five years, ...		„	„	4
	may be redeemed at any time by the party giving himself up, ...		„	XXVI.	1
	for the circumstances to which recognizance is applicable, see "*Security,*"				
	when forfeited how to be enforced,			„	2
Records - -	of the Suddur Dewanny Udalut to be prepared and kept by the register,	II.	„	XI.	
	of Zilla Courts to be prepared by the Seristadar, ...		„	XXXI.	
	and kept by the Recordkeeper,		„	XXXII.	
	formal records may be dispensed with if the parties desire it, notes made by the Court being substituted, ...	IV.	„	XXXVII.	
	sums for expenses paid to witnesses shall be recorded by the Seristadar,		„	XLV.	3
	Petitions of Appeal, how to be recorded,		„	LXXVI. and LXXVII.	
	what records in Appeals to the Suddur Udalut are to be furnished, and what kept in the Zilla Court, ...		„	LXXVIII. & LXXIX.	
	of Civil Courts in general, to be recorded in minutes, ...	III.	„	IV.	
	in what language, ...		„	V.	
	by whom kept, ...		„	VI.	
	in what form, ...		„	VII. and VIII.	
	how kept in Arbitration Suits,	VII.	„	VIII.	
	how kept by a Commission for trying Village Boundary Disputes, ...	X.	„	IX. and X.	2
	to be deposited in the Zilla Civil Court,		„	XII.	
	how to be kept by a landholder vested with Police Authority, ...	XV.	„	X. and XI.	
	Government may call for records from the Suddur Dewanny Udalut, ...	II.	„	VIII.	
	which Court may call for them from Zilla Courts, ...		„	XXVII.	4
	and those from Native Commissioner's Courts, ...		„	XLIV.	
	shall be furnished to the Suddur Foujdary Udalut by Criminal Judges and Zilla Magistrates, ...	XIII.	„	XXIX.	
	and to Government by the Suddur Foujdary Udalut, ...		„	XXXIII.	1

		REG.	SECT.	CLAUSE.
Responsibility	the fine may be imposed on the village at large, or on its Police Establishment: in either case how leviable, ...	XII. 1827.	XXXVII.	2
	the above measures may be ordered by the Court of Circuit, ...	„	„	3
Restraint -	personal, as a punishment, see "*Personal Restraint.*"			
	personal, among the circumstances which constitute robbery by force, ...	XIV. „	XXXVI.	3
Restrictions	see "*Prohibition.*"			
	on the use of Badges, Uniforms, Presses for Printing and circulation of prints or papers, see the respective head.			
	on money transactions between certain covenanted servants and certain natives,	XXIII. „	Chap. I.	
	on the occupation of land by Europeans or Americans, ...	„	Chap. II.	
	on the sale of poisons or deleterious substances, ...	XIV. „	XX.	1
Retailer of Opium -	any person selling at one sale a smaller quantity than two Surat Maunds,	XXI. „	X.	1
	rules for the retail of opium and penalties for the breach thereof, ...	„	X. to XVI.	
	of Tobacco, foreign Snuff, and Ganza,	„	XXII. to XXXI.	
	penalties for breach of the rules of retailing do.	„	Chap. VIII.	
Retaining -	fee to a Pleader—see "*Fee.*"			
Returns - -	of such Civil Judicial Proceedings as Government may require to be made by the Suddur Dewanny Udalut, ...	II. „	VIII.	
	of such as the Suddur Dewanny Udalut may require to be made by the Zilla Courts, ...	„	XXVII.	2
	but if periodical the sanction of Government must be obtained, ...	„	„	3
	of such as the Zilla Judge may require to be made by Native Commissioners,	„	XLIV.	
	of Criminal Judicial Proceedings to be made to Government's order by the Suddur Foujdary Udalut, ...	XIII. „	XXXIII.	2
	of periodical nature to be made to the Suddur Foujdary Udalut by Zilla Magistrates if directed by Government,	XII. „	XXI.	2
	such as the Zilla Magistrate may require to be made by District Police Officers,	„	XLVII.	
	and by Heads of Villages, ...	„	XLVIII.	3
	of certificates delivered to Native Officers in the Sea Customs Department in the Konkuns, ...	XX. „	XXVII.	2
	to be furnished by retailers of opium monthly to the Collector of Land Revenue,	XXI. „	XV.	
	of Tobacco, foreign Snuff or Ganza, in store by retailers—and Monthly Returns to the Collector similar to those regarding opium, ...	„	XXVI. and XXIX.	
	of prisoners sentenced by Courts Martial and forwarded to the Criminal Judge, to be sent to the Suddur Foujdary Udalut and endorsed and returned to the Commanding Officer, ...	XXII. „	VI.	2
	of punishments and confiscations; and decisions in suits of debt, by Superintendent of Bazars, ...	„	XXX. and XXXII.	2

		REG.	SECT.	CLAUSE.
Returns - -	of Military Guards and Escorts, permanent or temporary, by Civil Officers,	XXII. 1827.	XLVII	
Returning -	from transportation without pardon—how noticed, ...	XIV. „	V.	2
Reward - -	for discovery or seizures of the perpetrators of atrocious offences,			
	may be offered by a Magistrate, on his own authority or by order of the Court of Circuit or Suddur Foujdary Udalut,	XII. „	XXXII.	1
	to what amount by each of these authorities respectively, ...	„	„	2
	but in case of treason it must be sanctioned by Government, ...	„	XXXVI.	
	a proclamation to be made stating the conditions of the reward, ...	„	XXXII.	3
	how to be paid, and under what circumstances part may be withheld,	„	„	4
	partial fulfilment of the conditions of the reward may be remunerated with part of the amount, ...	„	„	5
	Police Officers not entitled to proclaimed rewards, but to be remunerated at discretion, ...			
	for seizure of the perpetrators of atrocious offences,			
	may be awarded by a Court of Circuit,	„	XXXIII.	1
	to what amount and how to be paid,	„	„	2
	for meritorious conduct in aiding the Police in general,			
	may be awarded by a Court of Circuit,	„	„	3
	to informers of a Tullatee neglecting the rules for furnishing and recording receipts for Land Revenue Payments,	XVII. „	XV.	1
	to informers of undue Revenue Exactions,	„	XVI.	2
	do. and receiving presents at Bombay,	XIX. „	V.	
	do. of smuggled opium, ...	XXI. „	VI.	5
	do. of confiscated Tobacco, foreign Snuff and Ganza, ...	„	XLIII.	2
	do. of smuggled spirits, ...	„	XLVI. and LXXII.	2 2
	do. in the Sea Customs, ...	XX. „	XXXII.	
	do. of foreign spirits imported into a Collectorate, ...	XXII. „	LII.	3
Revenue - -	claims, on crops attached in execution of of a Decree, how secured, ...	IV. „	LXIX.	2
	persons holding profitable Offices in the Revenue Department liable to act as Arbitrators, ...	VII. „	II.	1
	survey, how to be employed in trying Boundary Disputes, see *"Commission for trying Boundary Disputes."*			
	Proceedings, copies of to be made on stamped paper and of what value,	XVIII. „	XX.	
	Officers, see the respective head, or *"Officers," or "Native Officers."*			
	land, how payment is to be enforced,	XVII. „	Chap. III.	
	establishments, may be employed in functions of Police, ...	XII. „	III.	3
	and by Heads of Villages for that purpose, see *"Collectors."*	„	XLVIII.	2
	Judge—see *"Magistrate in Bombay."*			
	see *"Assessment," "Collection," "Collector," "Stamps."*			

		REG.		SECT.	CLAUSE.
Revision - -	of Decrees in which errors or omissions have occurred, how to be procured,	IV.	1827.	LXXI.	1 & 2
	only one revision at the instance of each party to be allowed, ...	„		„	3
	and none if an Appeal has been instituted,	„		„	4
	the execution of the Decree, how to be conducted in the interim, ...	„		„	5
	the revision how to be conducted,	„		„	6
	Decrees of the Suddur Udalut also open to revision, ...	„		XCVI.	
Riot - - -	assemblage of above twelve persons for riotous purposes punishable as rebellion,	XIV.	„	XIII.	
	meetings of riotous tendency may be dispersed by the Magistrate, ...	XII.	„	XXIX.	
Riotous Conduct -	when cognizable by the Superintendent of Bazars, ...	XXII.	„	XXVI.	3
	by camp followers on a march,	„		Chap. VI.	
Rites - -	Mohummudan, Kazees appointed for performance of, ...	XXVI.	„		
Roads - -	to fields—Questions regarding the use of, cognizable by the Collector as Civil Suits,	XVII.	„	XXXI.	4
Road - -	Assessment Fund—account of, to be kept separate in the treasury—to be applied in the repair and construction of roads within the Island of Bombay under the inspection of the Court of Petty Sessions and sanction of Government for extraordinary expenditure, ...	XIX.	„	XXVII.	
	Plans and Estimates of improvements to be laid before Government by the Court of Petty Sessions, ...	„		XXVIII.	
Robbery - -	how defined,				
	committing by more than four persons deemed gang robbery, ...	XIV.	„	XXXVI.	1
	acting in direct conjunction with robbers deemed robbery, ...	„		„	2
	committing by day or night, and by force, how defined, ...	„		„	3
	gang robbery with force, how punishable,	„		XXXVII.	1
	and without force, how punishable if committed by night, and how if by day,	„		„	2
	robbery with force, how punishable,	„		„	3
	and without force, how punishable if committed by night, and how if by day,	„		„	4
	attempt to commit, how defined,	„		XXXVIII.	
	of trivial nature, how defined and punishable, ...	„		XXXIX.	
	in what cases and how villages are responsible for robberies committed within their limits, ...	XII.	„	XXXVII.	
	persons accused of, in what cases to be tried by Court Martial, ...	XXII.	„	IX.	1
Rules - -	local, of Police; punishment for violation of, ...	XIV.	„	XXIII.	
	see "*Local Rules of Police.*"				
Safety - -	how far the Magistrate may suppress occupations, remove buildings, &c. incompatible with the public safety,	XII.	„	XIX.	
Sale - - -	of property in execution of a Decree, see "*Decree.*"				
	process of, within Military Cantonments,	XXII.	„	XXXIV.	
	of stamped paper, see "*Stamp.*"				
	Deed of, affecting immoveable property, may be entered in the Register of Title Deeds, ...	IX.	„	III.	1

		REG.	SECT.	CLAUSE.
Sale - - -	of articles by retail under a fraudulent description of their nature, how punishable, ...	XIV. 1827.	XXII.	
	of poisons, see "*Poison.*"			
	of slaves, see "*Slaves.*"			
	public, in Bombay—license to issue notice for, by beat of battakee, ...	XIX. „	XIII.	
	of goods the Sea Customs on which remain unpaid, ...	XX. „	VIII.	1
Sales - - -	of opium—book of, to be kept by retailers,	XXI. „	XVI.	
	of confiscations in the Sea Customs Department, when to be deferred by the Collector, ...	XX. „	XXXIII.	1
	of spirituous liquors within Military Cantonments or on a march, ...	XXII. „	Chap. IX.	
Salsette - -	on spirits manufactured from the produce of, quarter Rupee per gallon only leviable—certificate from the Collector,	XXI. „	XLIX.	
Satmee - -	or bill of lading—rules for the production of, on ships arriving in ports subordinate to Bombay, ...	XX. „	XII.	3
Seal - - -	of the Court of Suddur Dewanny Udalut,	II. „	III.	
	of Zilla Civil Courts, ...	„	XVIII.	
	of Native Commissioner's Courts,	„	XXXIX.	
	process issued by Civil Courts to be sealed,	III. „	IX.	
	of Kazees, ...	XXVI. „	I.	3
	of the Court of Suddur Foujdary Udalut,	XIII. „	III.	1
	of the Court of Circuit, ...	„	VI.	2
	of the Criminal Judge, ...	„	VII.	2
	of the Zilla Magistrate, ...	XII. „	III.	2
	of the Collector of Land Revenue,	XVI. „	IV.	
	of Native Officers of the Sea Customs Department, ...	XX. „	XXVIII.	1
	counterfeiting, fabricating, altering or erasing, how punishable, ...	XIV. „	XVII.	
Search - -	for stolen property, how to be conducted,	XII. „	IX.	
	to be made by landholders vested with Police Authority, observing not to enter dwelling houses at night without urgent occasion, ...	XV. „	VII.	3
	and by District Police Officers,			
	and Heads of Villages under certain other restrictions, ...	XII. „	L.	2
	for smuggled opium, how to be executed,	XXI. „	V.	2
	obstructing ditto, ...	„	XVI.	
	for the discovery of unlicensed stills or smuggled liquor, ...	„	LXVII.	4 to 7
Secrecy - -	among the circumstances which constitute robbery, ...	XIV. „	XXXVI.	1
Section - -	a subdivision of a Regulation,	I. „	II.	5
Security -	property deposited as security, see "*Mortgage.*"			
	on furnishing such for the payment of a Land Assessment, the crop may be reaped or removed, ...	XVII. „	XI.	5 & 6
	in realization of Land Revenue a security may be proceeded against in the same manner as the principal, ...	„	XII.	1
	of what nature entitles an imprisoned Land Revenue Defaulter to be set at liberty, ...	„	„	10
	two sureties to be furnished by a person suing as a pauper for his appearance,	VI. „	III.	1

		REG.	SECT.	CLAUSE.
Security	to be furnished by an Administrator to an Estate appointed by the Civil Court,	VIII. 1827.	XI.	
	to be furnished by the Nazir of the Suddur Dewanny Udalut, ...	II. „	XIV.	2
	and by the Nazirs of Zilla Courts,	„	XXX.	2
	and by the Nazir to the Suddur Foujdary Udalut, ...	XIII. „	III.	3
	and by the Nazir to the Criminal Judge's Court, ...	„	VIII.	3
	by Native Officers in the Land Revenue Department entrusted with the charge of money or papers, ...	XVI. „	XII.	
	how responsible, ...	„	XIII.	1
	delivering up the principal does not entitle the surety to recover from the Collector what he may have paid in the interim, ...	„	„	2
	how far the death of the principal relieves the surety from responsibility,	„	XVI.	
	how the surety may institute a suit to try the validity of a demand made by the Collector, ...	„	XV.	1
	and if in custody how he may make a representation to Government,	„	„	2
	in Criminal or Police Matters,			
	how a landholder vested with Police Authority may take security, ...	XV. „	VII.	4
	taken by a Criminal Judge or Magistrate may be annulled or reduced by a Court of Circuit, ...	XIII. „	XVII.	2
	or by the Suddur Foujdary Udalut,	„	XXIX.	4
	which may also enjoin those Officers to require any particular security,	„	„	5
	for the attendance of a witness in a Criminal Court, ...	„	XXXIV.	1 & 3
	a Criminal Court may send a prisoner to a Magistrate to be bound over to good conduct, ...	„	XLI.	
	when ordered by a Criminal Judge to be taken, the Nazir to execute the said order, ...	„	XLIII.	2
	may be taken in order to prevent breach of the peace or illegal occupation of property, ...	XII. „	XVI.	
	a person becoming security to execute a bond with certain conditions,	„	XXIV.	3
	which (unless otherwise enacted for particular cases) shall not subject the party to more than two year's imprisonment nor bind the actions of the principal for more than five years, ...	„	„	4
	general view of the circumstances under which recognizance or security is to be taken, ...	„	XXV.	
	may be redeemed by delivering into custody the party for whom bound, for which purpose the Magistrate to afford aid,	„	XXVI.	1
	forfeiture of, how to be enforced,	„	„	2
	person unable to furnish security may be confined while the occasion lasts, but when the period up to which the respective authority is authorized to adjudge imprisonment is completed the case must be referred to the Suddur Foujdary Udalut, ...	„	XXVII.	1

		REG.		SECT.	CLAUSE.
Security -	the authority to require security devolves on any tribunal to which the trial of the party may devolve, ...	XII.	1827.	XXVII.	1
	a suspicious person unable to find security may be expelled from a Zilla of which he is not a native, ...	„		XXVIII.	
	witnesses and culprits in what cases bailable by a District Police Officer,	„		XLIII.	2
	and in what cases he may bind over as a precautionary measure, ...	„		„	3
	British subjects bailable on complaint by Natives before a Magistrate or Superintendent of Bazars, ...	XXII.	„	XXVIII.	4 & 5
	in what cases it may be demanded for the appearance of a Defendant,	IV.	„	VII.	
	the conditions, ...	„		„	3
	property may be deposited in security,	„		„	4
	securities may release themselves from responsibility by giving up the Defendant, ...	„		„	5
	Defendants may be obliged to give security for not disposing of their property,	„		VIII.	
	Defendants may give security instead of sequestration of their property,	„		„	4
	a manager of sequestrated property to furnish security, ...	„		„	7
	a Plaintiff who does not reside within the Zilla may be called on for security for payment of eventual costs &c.	„		XII.	
	how default in a matter for which security has been furnished is to be proceeded with, ...	„		LIX.	
	to be furnished by an Appellant on instituting the Appeal, ...	„		LXXV.	
	and on suspending execution of the Decree, ...	„		LXXXI.	2
	and by the respondent, ...	„		LXXXII.	1
	additional security may be required from either party in the progress of an Appeal if it appears that that already given is insufficient, ...	„		XCIII. and C.	5
	to be furnished by an Appellant to the King in Council, ...	„		C.	4
	bond, for payment of eventual costs in a lawsuit, in determining the stamp to be used shall be calculated at one-fifth of the sum sued for, ...	XVIII.	„	XVII.	
Seizure - -	of Criminals, see "*Apprehension.*"				
	of unlawful instruments, or such as are kept for unlawful purposes, may be made by the Magistrate, ...	XII.	„	XXX.	
	the articles to be disposed of as Government may direct, ...				
	of smuggled opium, ...	XXI.	„	Chap. II.	
	of unlicensed stills and smuggled liquor,	„		Chap. XIII.	
Self Defence	a justifiable cause for killing,	XIV.	„	XXVI.	3
——*Immolation*	of a legal nature, assisting at such does not constitute murder, ...	„		„	2
Senior - -	the Senior Judge to have the casting voice when the Court of Suddur Udalut is equally divided in opinion, ...	II.	„	IX.	3 & 4
	Assistant Judge—see "*Assistant Judge.*"				
Sentence -	see "*Punishment.*"				
	of more than two year's imprisonment				

		REG.	SECT.	CLAUSE.
Sentence -	awarded by a Criminal Judge requires confirmation and may be altered by the Suddur Foujdary Udalut, from which Court the warrant for execution shall issue, ...	XIII. 1827.	XIII.	2
	execution of by a Criminal Judge, how to be certified and recorded, ...	„	XV.	1
	and how if the convict be transferred from his custody to that of another Officer,	„	„	2 & 3
	what sentences are to be executed on the authority of a Court of Circuit and what referred by it to the Suddur Foujdary Udalut, ...	„	XXI. and XXII.	3 2
	how the warrants are to be issued,			
	different sentences passed against the same individual at the same Session may be combined in one warrant, ...	„	„	4
	of a Special Court, to be executed by the Criminal Judge after confirmation by Government, ...	„	XXVI.	2
	passed in the Criminal Judge's or Zilla Magistrate's Departments, may be mitigated or annulled by the Suddur Foujdary Udalut, ...	„	XXIX.	4
	shall be declared in open Court, and the convict is entitled to a copy of it,	„	XXXVIII.	6
	shall be executed by the Nazir of the Zilla Court, ...	„	XLIII.	2
	to what extent of punishment it may be passed by particular Courts or Officers, see the respective Court or Officer.			
	by Courts Martial, how to be executed,	XXII. „	VI. X. and XIV.	4
Separation -	of different classes of prisoners in the Criminal Jail of the Zilla, ...	XIII. „	XLIV.	
Sepoy - -	in a Civil Department, or private service, see *"Peon."*			
Sequestration	of the property of fugitive offenders, see *"Attachment of the Property of fugitive Offenders."*			
	of the property of Defendants supposed to intend disposing of it, ...	IV. „	VIII.	
	an Administrator may be appointed to manage such property, ...	„	„	6, 7, 8
	the sequestration shall be removed on security being furnished, ...	„	IX.	1
	how Defendants shall be redressed for unnecessary sequestration, ...	„	X.	
	how sequestration before judgment affects the rights of other claimants,	„	XI.	
	the preceding rules applicable to Appeals,	„	LXXXII.	2
Syrang of a Vessel -	rules to be observed on the arrival of vessels, ...	XX. „	XII.	1
Seristadar -	of the Suddur Dewanny Udalut, his appointment, ...	II. „	„	1
	his duties, ...	„	„	2
	his qualification by solemn declaration,	„	„	4
	to perform similar functions in the Suddur Foujdary Udalut, ...	XIII. „	II.	2
	and to qualify by solemn declaration,	„	III.	2
	of the Zilla Courts,			
	appointment, ...	II. „	XXXI.	1
	qualification by solemn declaration,	„	„	2

		REG.	SECT.	CLAUSE.
Seristadar -	duties, ...	II. 1827.	XXXI.	3 to 9
	of any Civil Court how punishable for misconduct, ...	„	XXXVI.	
	how appointed, suspended, or dismissed,	„	XXXIV.	4
	to keep the proceedings, ...	III. „	VI.	
	of the Zilla Civil Court to officiate in the Criminal Judge's Court, qualifying by declaration, ...	XIII. „	VIII.	3
	unless the duties require separate persons to be appointed, ...	„	„	4
	to officiate in the Special Court, being qualified by declaration, ...	„	IV.	3
	also in the Court of Circuit, ...	„	VI.	1
	the Zilla Magistrate may appoint any person to act as such, ...	XII. „	XIV.	
Servants - -	of the Nawaub of Surat exempted from Civil Jurisdiction, ...	II. „	XXI.	2
	and from Criminal, ...	XI. „	I.	2
	Covenanted, } see "*Officers.*" Civil, }			
	private, misconduct of punishable by the Magistrate, ...	XII. „	XVIII.	2 & 3
	not to be employed by Collectors of Land Revenue or their Assistants in official matters, ...	XVI. „	VII.	1
	misconduct of, punishable by the Superintendent of Bazars, ...	XXII. „	XXVI.	3
Serve - -	how a summons is to be served on a witness in a Civil Court, ...	IV. „	XXXII.	3
Service - -	land exempted from payment of public revenue on condition of performing—liable to assessment if condition not performed, with special provisions,	XVII. „	XXXVIII.	2
Session - -	for trial of Criminal offences, see "*Circuit.*"			
	a Session may be held at any particular station independent of the general Circuit, ...	XIII. „	V.	3
Sex - - -	see "*Female.*"			
Share - -	of Revenue Offices, when a Revenue Office is held by different persons in partnership, how the Collector is to arrange the discharge of its functions, ...	XVI. „	XVII.	4
	of Villages, when the management of Village Revenue has been conducted by shareholders it is so to continue,	XVII. „	VIII.	
	so long as they make good the Revenue,	„	„	2
Sheriff - -	of Bombay—certificate of the Collector of Land Revenue there to be his Warrant for imprisoning defaulters, ...	XIX. „	IV.	
Ships - -	Commanders of—fee on certificate granted to, on their arrival and departure from the port of Bombay, ...	„	XXX.	1
Shops - -	in Bombay—Quarterly Assessment of,	„	IX. XIV. & App. B.	
Signature -	counterfeiting, altering or erasing, how punishable, ...	XIV. „	XVII.	
Sipauhee -	see "*Sepoy.*"			
Sittings - -	of Civil Courts, on what days to be held,	III. „	I.	
Slaves - -	importation of, how punishable,	XIV. „	XXX.	1
	and how exportation, ...			
	the Magistrate may give permission to export if satisfied that the object be not sale, ...	„	„	2

		REG.	SECT.	CLAUSE.
Slaves - -	sale of, illegal unless registered by the Magistrate; or if thereby a child under ten years of age is separated from its mother; or if the slave be under ten years of age unless in time of famine; or if the purpose be prostitution. In time of famine a parent may sell a child, but a right of redemption is reserved for ten years, ...	XIV. 1827.	XXXI.	1
	how illegal sale is punishable,			
	a slave illegally imported or sold becomes emancipated, and in certain cases a fine is leviable from the offender and applied to returning the slave to his own country, ...	„	XXXII.	
Smuggling -	penalties for smuggling opium, abetting and concealing—how to be enforced,	XXI. „	Chap. II.	
	in case of excess in the quantity of opium transferred under pass for retail sale above that stated in the pass, the dealer liable to the penalties of smuggling opium,	„	IX.	3
	penalties for smuggling Tobacco, abetting and concealing, ...	„	XXXIV. and XXXV.	
	how to be enforced, ...	„	XL. to XLIII.	
	confiscation of smuggled spirituous liquors,	„	XLVIII.	
	punishment for various acts of illicit manufacture and sale of spirits, and for conniving at the same,	„	LXVIII. and LXIX.	
	confiscation and destruction of liquor illicitly made or imported, materials, and unlicensed still, ...	„	LXX.	
	of spirituous liquors within Military limits,	„	XLIX. and LIII.	3, 4, 5
Snuff - -	foreign—at what places importable within the Island of Bombay—how to be conveyed to Colaba &c.	XXI. „	XVII.	1 & 2
	rules for the warehousing of foreign Snuff so imported, ...	„	„ Chap. VI.	3
	vessels not exceeding 500 Candies having foreign Snuff on board to be reported to the Custom Officers, ...	„	XVIII.	1
	provisions as to marking packages, landing and deposit of such Snuff, ...	„	„	2 & 3
	import duty of one Rupee per three pounds,	„	XIX.	1
	exclusive of 3½ per Cent advalorem,	„	„	2
	rules for warehousing of foreign Snuff imported into Bombay, and sale of by retailers—see "*Tobacco.*"	„	XX. to XXXI.	
	rules for the exportation of, on drawback,	„	XXXII.	
	penalties for smuggling, and illegally retailing do.	„	Chap. VIII.	
Soldiers - -	in the Bombay Native Army, not British born subjects, amenable to the Jurisdiction of Military Courts, ...	XXII. „	III.	1
Solitary Imprisonment	how inflicted, ...	XIV. „	VII.	2 & 5
	may be resorted to, so far as fifteen days, as punishment for disorderly conduct in the Criminal Jail, .. .	XIII. „	XLVI.	
Sorcery - -	belief in such being practised by a person does not justify putting him to death,	XIV. „	XXVI.	2
Special Appeal	to be admitted in cases of obvious wrong,	IV. „	XCIX.	1
	or when the regular course of Appeal does not apply, ...	„	„	2

		REG.	SECT.	CLAUSE.
Special Appeal	what the Petition of Appeal is to contain,	IV. 1827.	XCIX.	3 & 4
	how the Court is to proceed, ...	„	„	5
	the Appellant not exempted from the penalty for vexatious complaints,	„	„	6
	the Petition to be written on stamped paper with exceptions, ...	XVIII. „	XV.	1 & 2
— *Court*	to be appointed by Government for trial of offences against the state, ...	XIII. „	IV.	1
	to be composed of three Judges, and how they are to be selected and denominated and how to rank in precedence,	„	„	2
	its establishment of Ministerial Officers to be taken from the Criminal Judge's Court, ...	„	„	3
	to assemble where directed by Government, ...	„	XXIV.	2
	to be dissolved by Government,			
	the Court Room to be prepared by the Criminal Judge, ...			
	decisions to be regulated by the opinion of the Majority, but a dissentient Member may record his sentiments on the proceedings, ...	„	„	3
	two of the Members may transact all business on which they agree, but a vacancy shall be reported to Government,	„	„	4
	on what days the Court is to be closed,	„	IX.	
	how contempts of Court are punishable,	„	XI.	
	the business and records to be conducted in the same way as in a Court of Circuit.	„	XXV.	
	shall acquit or decide on the guilt and fix a sentence and forward the proceedings with translations to Government,	„	XXVI.	1 & 3
	which may confirm, mitigate, or annul the sentences, and on hearing thereof sentence shall be passed and warrant issued for execution, ...	„	„	2
	records to be deposited with Government,	„	„	1 & 3
	forms of courtesy to be observed on the trial of a landholder, ...	XV. „	XVIII.	
	or of his relations, ...	„	XX.	
— *Jurisdiction* -	may be appointed by Government as regards the cognizance of offences committed by landholders, ...	„	XIV.	
Spirituous Liquors -	imported into Bombay, to be warehoused;			
	smuggled spirits to be confiscated,	XXI. „	XLVI.	
	3½ per Cent Customs duty how leviable,	„	XLVII.	
	town duty of ¼ Rupee per gallon; ¼ Rupee on spirits manufactured from the produce of Salsette, Caranja and Fort Victoria, ...	„	XLVIII. and XLIX.	
	rules for the drawback on exportation,	„	L. and LI.	
	double duties leviable on spirits imported from Europe and America on foreign bottoms, ...	„	LII.	
	no deduction on account of leakage,	„	LIII.	
	rules for the manufacture of spirituous liquors at subordinate stations under the Collector's Superintendence—see *"Distilleries," "Suddur."*	„	LIV. *to* LVII.	
	rules for do. under the Collector's license at places above six miles from Suddur Distilleries, ...	„	LVIII. and LIX.	

		REG.	SECT.	CLAUSE.
Spirituous Liquors -	rules for farming the Abkarry duties for one year by the Collector, ...	XXI. 1827.	LX.	
	rules for the sale of country spirits under license by the Collectors,	„	Chap. XII.	
	importation prohibited, within six miles of a Suddur Distillery, ...	„	LXV.	1
	rules regarding the sale of, within Military Cantonments, and adjoining limits—manufacture there prohibited,	XXII. „	XLVIII.	1 & 2
	punishment for illicit manufacture and sale and smuggling, within ditto,	„	„ and XLIX. and LI.	3
	limitation to the establishment of shops by Military Contractors, ...	„	L.	
	import duty on foreign spirituous liquors unless certified to be for private use, on the way to a Military Station,	„	LII.	
	rules for the sale of, to troops during a march, ...	„	LIII.	
	do. at stations where there is no Superintendent of Bazars, ...	„	LIV.	
Stalls - -	in Bombay—assessment on, and how leviable, ...	XIX. „	IX. XIV. and App. B.	
Sheds - -	temporary—on account of weddings or other amusement—licenses for under assessment and penalty &c.	„	X. XI. and XIV.	
Stamped Paper	Paupers in Civil Suits not required to use stamped paper, ...	VI. „	IV.	
	Applicants for copies of Proceedings in lawsuits to furnish the requisite stamp,	III. „	XII.	3
	to be provided by parties receiving copy of a Collector's Decree in a Civil Suit, (Appendix F. XVIII.)	XVII. „	XXXIII.	
Stamp - -	a general Stamp Office to be at the Presidency, under charge of a Superintendent, who shall be qualified by oath,	XVIII. „	I.	
	sale of stamps in each Zilla conducted by Officers under Superintendance of the Collector, ...	„	II. and III.	
	lists of Stamp Venders to be published,	„	III.	2
	an adequate supply of stamps in each Zilla, how to be provided, ...	„	IV.	
	precautionary measures against counterfeiting or illegally selling stamps,	„	V.	
	materials and size of stamped paper,	„	VI.	
	in law process a stamp may be enlarged by affixing plain paper, ...	„	XXI.	
	how and where stamped and authenticated,	„	VII.	
	misconduct of Stamp Venders, how punishable, ...	„	VIII.	
	sale of stamps by, and purchase of them from, any one but an authorized vender prohibited and punishable, ...	„	IX.	
	what writings are required to be made on stamped paper, ...	„	X.	1 & 2
	engagements in which Government is concerned, excepted also those relating to rent of land held by individuals,	„	„	3
	the want of a stamp renders the writing invalid, ...	„	XI.	
	the price of the stamp required for writings respecting matters of specific value,	„	XII.	1
	and that required when the value is not specified, ...	„	„	2

		REG.		SECT.	CLAUSE
Stamp - -	writings may be stamped after being made,	XVIII.	1827.	XIII.	
	in certain cases within a year after date,		„	„	2
	and in certain cases payment of twenty times the prescribed rate will be required, ...		„	„	1
	in what cases a writing stamped after being made will date from the time of being made, and in what cases it will date from the time of being stamped,		„	XIV.	
	what stamps are required for Plaints in lawsuits, either original or in Appeal,		„	XV.	
	if a stamp of inferior value is presented for the above purpose, how the Court is to proceed, ...		„	XVI.	
	for a security bond for payment of eventual costs they are to be calculated at one-fifth of the sum sued for in determining the value of the stamp,		„	XVII.	
	what stamps are required for Answers, Replies, Rejoinders, Razeenamas, Vakalut Namas, and Applications of all sorts to Civil Courts, ...		„	XVIII.	
	what stamps are required for Sunnuds and certain official Certificates, ...		„	XIX.	
	and what for Copies of Decrees (those issued by Native Commissioners excepted,) of judicial or revenue Proceedings, of registered papers, and of papers authenticated by Public Officers,		„	XX.	
	copies of Village Revenue Records, presented for authentication by the Collector must be on stamped paper,	XVI.	„	XXIII.	2
Standard -	of Weights and Measures, to be kept by Magistrates open to public examination,	XII.	„	XX.	
	and by District Police Officers,		„	XLV.	2
State - -	offences against the, in its political relations, ...	XIV.	„	Chap. III.	
	foreign, disturbing the peace of, how punishable, ...		„	XV.	
State Prisoner	persons may be confined as such by the authority of the Governor in Council,	XXV.	„	I.	1
	form of commitment, ...		„	„	2
	allowance for the prisoner's maintenance,		„	II.	
	half yearly Report to be made by the Officer in whose custody placed,		„	III.	
	Report of certain particulars to be made on taking charge of a State Prisoner,		„	V.	1
	and representations offered by such prisoner to be forwarded to Government,		„	„	2
	in what cases to be visited periodically by the Judge on Circuit, and what authority the Judge may exercise on those occasions, ...		„	IV.	1
	and on what occasions a different visiter is to be appointed for similar purposes,		„	„	2
	what rules to be applicable to State Prisoners who may have been in confinement previous to the operation of Regulation XXV. A. D. 1827, ...		„	VI.	
Station - -	of the Suddur Dewanny Udalut,	II.	„	I.	1
	of Zilla Civil Courts, ...		„	XVII.	
	of Assistant Judge's Courts, ...		„	XXVIII.	2
	of Native Commissioner's Courts,		„	XXXVII.	
	of the Suddur Foujdary Udalut to be the				

		REG.	SECT.	CLAUSE.
Station - -	same as of the Suddur Dewanny Udalut, ...	XIII. 1827.	II.	2
	of Criminal Judge's Courts, ...	„	VII.	1
Statute - -	British, see "*Act of Parliament.*"			
	of the Bombay Presidency, see "*Regulation.*"			
Stills - -	license for each, in the manufacture and sale of spirits not at Suddur Distilleries,	XXI. „	LXIV.	3
	unlicensed—provisions for the discovery and seizure of, ...	„	LXVII.	
	to be confiscated and destroyed,	„	LXX.	
Stocks - -	may be used to secure prisoners in the Criminal Jail, ...	XIII. „	XLV.	1
	or to punish disorderly conduct therein,	„	XLVI.	2
	as a punishment, see "*Personal Restraint,*" and "*Public Disgrace.*"			
Stolen Goods	may be reclaimed by the owner, but a person who in the interim may have become possessed of tnem in a lawful manner may recover the value from him from whom received, ...	XIV. „	XLI.	2
	receiving of, how defined and punishable,	„	„	1
	search for, how conducted, (see "*Search.*")	XII. „	IX.	4
	by a District Police Officer, Head of a Village, or landholder vested with Police Authority, see the respective head.			
	when a Head of a Village has reason to suspect such to have been within his limits, he is to acquaint the District Police Officer, ...	„	LIII.	2
Stray - -	animals, to be taken charge of by the Magistrate, and how eventually disposed of,	„	XIX.	8
	or by the District Police Officer,	„	XLV.	2
	or by the Head of a Village, ...	„	LIII.	4
Stripes - -	see "*Flogging.*"			
Subject - -	British born, see "*British born Subjects.*"			
	Native, see "*Native Subjects.*"			
	what persons are subject to Jurisdiction Civil, Criminal, or Military, see "*Jurisdiction Civil,*" "*Criminal,*" or "*Military.*"			
Subsistence -	of prisoners for contempt of Court,	IV. „	LVI.	1
	of debtors in prison, ...	„	LXIII.	
	of State Prisoners, ...	XXV. „	II.	
	of imprisoned Land Revenue Defaulters,	XVII. „	XII.	9
	of witnesses in attendance on a Criminal Court, ...	XIII. „	XXXIV.	9
	of prisoners in the Criminal Jail to be at the expense of Government, and of what extent and nature, ...	„	XLII.	3
	for one month may be allowed to a prisoner on his release after six month's confinement, ...	„	XLIII.	3
	of a Mohussul in the Land Revenue Department, the rate and how paid,	XVII. „	XII.	2
Sub-Treasurer	to receive from the Clerk of the Petty Sessions balance of fees levied in that Court and in the Offices of the Magistrates of Police for the benefit of the county fund, ...	XIX. „	XXXI.	2
Suddur Udalut	Court of,			
	to furnish to Government on the 1st February annually a list of the Titles of Regulations, ...	I. „	III.	

		REG.		SECT.	CLAUSE.
Suddur Udalut	Interpretation of the Code of Regulations vested in, after two years, ...	I.	1827.	VII.	2
	may administer the oath of qualification to a Collector of Land Revenue,	XVI.	„	III.	2
	or to his Assistants, ...		„	V.	
Suddur - -	Court of Suddur Udalut in its Civil capacity denominated Suddur Dewanny Udalut, its constitution, ...	II.	„	Chap. I.	
	its jurisdiction, ...		„	I.	
	to consist of three or more Judges and their Denominations, ...		„	II.	
	its Seal, ...		„	III.	
	Appointment of the Judges, their suspension and dismissal, ...		„	XXXIV.	1
	oath to be taken by the Judges,		„	IV.	
	Abstract of the Court's Duties and Authority, ...		„	V. VI. VII. and VIII.	
	number of Judges to form a Court—when the Judges differ in opinion how the decision is to be regulated, ...		„	IX.	
	Appeals how to be tried, ...		„	IX. and X.	
	Appointment and Duties of Registers and Assistant Registers, ...		„	XI.	
	their Appointment, suspension, or dismissal, ...		„	XXXIV.	1
	oath to be taken by them, ...		„	„	1
	Appointment and Duties of a Seristadar,		„	XII.	1 & 2
	do. Recordkeepers, ...		„	„	1, 3, 4
	do. Law Officers, ...		„	XIII.	
	do. Nazir, ...		„	XIV.	
	do. Inferior Officers, ...		„	„	1
	do. Administerers of Oaths, ...		„	XV.	
	of Pleaders: see the head "*Pleader*."				
	of Appeals in Formâ Pauperis,	VI.	„	XI.	
	refusal by a Zilla Judge to admit a party as a pauper may be reversed,		„	XII.	
	commitments for contempts in the Suddur Udalut to be executed by the Zilla Judge, ...	VI.	„	LVI.	2
	process issued by the Suddur Udalut to be executed by the Zilla Judge,		„	LXXXVIII.	
	the register may be commissioned to take evidence, ...		„	XCI.	
	of the procedure to be followed in trying Appeals, see "*Appeal*," "*Special Appeal*."				
	of the procedure in complaints of a Miscellaneous nature, ...		„	XCVIII.	
	records of proceedings to be furnished to Government when called for,	II.	„	VIII.	
	and to be furnished to the Suddur Udalut by the Zilla Courts, ...		„	XXVII.	2
	to issue final orders as to the suspension, restoration, or dismissal of a Native Commissioner suspended by a Zilla Judge for more than two months,		„	XXXVIII.	3
	Decree of Revenue Judge at Bombay may be appealed to, as a Zilla Judge's Original Decree, ...	XIX.	„	VIII.	
	and Decree of this Court appealable to the King in Council, agreeably to Regulation IV. of 1827, ...		„	„	

		REG.	SECT.	CLAUSE.
Suddur - -	Court of Suddur Udalut in its Criminal capacity, denominated Suddur Foujdary Udalut.			
	to exercise Supreme Criminal Jurisdiction in Zillas, ...	XIII. 1827.	II.	1
	its Station, Members, and Officers to be the same as of the Suddur Dewanny Udalut, ...	„	„	2
	to use a seal, its size and inscription,	„	III.	1
	the Judges and such of the Officers as require qualification by oath or declaration in their Civil capacities to do similarly in their Criminal capacities,	„	„	2
	the Puisne Judges to make Tours of Circuit or for holding Sessions, ...	„	V.	1
	for particulars on which occasions, see "*Circuit.*"			
	how the Native Officers are punishable for misconduct, ...	„	X.	
	abstract of its duties, ...	„	XXVII.	
	two Judges constitute a Court: if they disagree a third to be waited for,	„	XXVIII.	1
	a majority to decide, but when a greater number than three are equally divided the Chief Judge to have the casting vote, ...	„	„	2
	the opinion of a Judge who may have referred a matter to the Court is to be considered a vote, ...	„	„	3
	what duties a single Judge may perform,	„	„	4
	witnesses to be procured through the Criminal Judge, who may be employed to investigate, ...	„	XXIX.	3
	for rules of taking and recording evidence, see "*Witness.*"			
	on what days the Court is to be closed,	„	IX.	
	how contempts of Court are punishable,	„	XI.	
	records how kept, ...	„	XXXII.	1
	warrants for punishment and acquittals or pardons, how made, ...	„	„	2
	may authorize particular instruments to be used in inflicting the punishment of flogging, ...	XIV. „	VIII.	1
	and particular modes of exposing to public disgrace, ...	„	X.	
	and of inflicting personal restraint,	„	XI.	2
	may alter the period of holding Sessions, reporting the same to Government, or the order of rotation in which the Judges perform the duty, ...	XIII. „	V.	3
	may alter temporarily the station of the Criminal Judge's Court, ...	„	VII.	1
	to decide in certain cases whether a Criminal is to be tried by the Criminal Judge or Court of Circuit, ...	„	XII.	2
	sentences to more than two years imprisonment passed by a Criminal Judge require confirmation, and may be altered by the Suddur Foujdary Udalut,	„	XIII.	2
	but the period extends to five years if awarded for breach of certain restrictions imposed on Native Officers entrusted with the charge or collection of public money in the Land Revenue Department, ...	XVI. „	XI.	4

		REG.	SECT.	CLAUSE.
Suddur - -	ditto in case of exactions by ditto,	XVII. 1827.	XVI.	4
	when the Jurisdiction of a Senior Assistant to a Criminal Judge is extended by Government, the same to be made known to the Suddur Foujdary Udalut,	XIII. „	XIII.	4
	may with the sanction of Government call for periodical reports from Criminal Judges, ...	„	XIV. and XXIX.	4 2
	or Zilla Magistrates, ...			
	and for records or reports, not periodical, without such sanction, ...	„	„	1 & 2
	shall furnish to Government any reports or records required, ...	„	XXXIII.	1 & 2
	and a periodical report of matters connected with the business of Criminal Judicature and Police, ...	„	„	3
	process issued by, to be executed by the Criminal Judges, ...	„	XII.	5
	and how the execution is to be certified,	„	XV.	1
	to decide on certain cases of orders issued by the Court of Circuit and remonstrated against by a Criminal Judge or Zilla Magistrate, ...	„	XVII.	3
	sentences by a Court of Circuit to death, transportation or imprisonment for life, require confirmation by, ...	„	XXI.	3
	may mitigate or annul sentences passed in the Criminal Judge's or Zilla Magistrate's Departments, ...	„	XXIX.	4
	may remit or mitigate penalties of bail, recognizance or security, ...			
	may enjoin a Criminal Judge or Zilla Magistrate to take cognizance of any matter, or to demand any bail, recognizance or security, ...	„	„	5
	punishment for contempt of Court or process of custody to be executed by the Criminal Judge, ...	„	„	6
	may reprove Officers on the Criminal or Police Establishments for misconduct, disobedience to its orders to be reported to Government, ...	„	„	7
	may depute a Judge on Circuit to perform certain duties, ...	„	XXX.	1
	or direct an extra Session to be held, reporting the same to Government,	„	„	2
	if at an unusual place the consent of Government is requisite, ...	„	„	3
	may dispense with the Judge on Circuit visiting a station where there are no commitments, but not twice consecutively, ...	„	„	4
	how far it may revise orders and acts of a Judge on Circuit, ...	„	„	5
	certain sentences to be annulled or mitigated by the Governor in Council,	„	„	
	may recommend convicts to Government for pardon, either whole or partial,	„	XXXI.	1
	which if acceded to is to be put in force through the medium of the Suddur Foujdary Udalut, ...	„	„	2
	as also acts of grace to Criminals done by Government in other cases,	„	„	3
	may suspend the execution of sentence pending Government's decision respecting a pardon, ...	„	„	1

		REG.	SECT.	CLAUSE.
Suddur - -	to decide on objections started by a Magistrate to executing process issued by another, ...	XII. 1827.	XV.	3
	to confirm or reject local Police Rules instituted by Magistrates, also the sale of materials to defray the expense of removing nuisances,	„	XIX.	6
	to pass final order when the forfeiture of recognizance or security involves a longer period of imprisonment than the authority before which it occurs is authorized to adjudge, ...	„	XXVI.	2
	to sanction recals of sentences of expulsion from Zillas, ...	„	XXVIII.	4
	may direct Magistrates to proclaim rewards not exceeding two hundred Rupees for the apprehension of offenders,	„	XXXII.	1 & 2
	but in cases of treason the sanction of Government is required, ...	„	XXXVI.	
	may direct pardon to be offered to an accomplice on condition of his furnishing evidence, ...	„	XXXIV.	3
	but in cases of treason the sanction of Government is required, ...	„	XXXVI.	
	may sanction or direct a Magistrate's proceeding to attach the property of fugitive offenders, ...	„	XXXVIII.	1 & 5
	may issue sentence of banishment against a person who has adopted habits hostile to the public tranquillity, and in certain cases recal the same, see *"Baharwuttaee."*			
	to issue a proclamation when Government invests a District Police Officer with extended powers, ...	„	XLII.	1
	periodical returns to be made to, by the Criminal Judge, of persons sentenced by Court Martial and forwarded to him—Copy to be endorsed and returned to the Commanding Officer,	XXII. „	VI.	2
	report to, by the Magistrate, of impressment and remuneration allowed,	„	XLII.	4
Suits - - -	Original Suits to be heard in the Zilla Courts and of what nature, ...	II. „	XXI.	
	Suits of Appeal to be heard in the Suddur Dewanny Udalut—(for further particulars, see *"Appeal."*)	„	V.	1
	to be received by Native Commissioners whether for trial before themselves or for transmission to the Zilla Judge,	„	XLI.	1
	when suits are thus transmitted it is not necessary for the parties to attend before the Judge, ...	III. „	III.	3
	Pauper Suits, see *"Pauper."*			
	Institution of, ...	IV. „	Chap. II.	
	the plaint where to be presented,	„	II.	1
	if to a Native Commissioner, how to be disposed of, ...	„	„	2
	suits before a Commissioner to be transferred to the Zilla Judge at the requisition of the Defendant, ...	„	„	2
	form and particulars of the plaint,	„	III.	
	how numbered, dated, and recorded,	„	IV.	
	priority of suits, how to be determined,	„	„	5
	in the case of a Government Officer a copy			

		REG.	SECT.	CLAUSE.
Suits - - -	of the Plaint to be substituted for a summons, sent to Government and to the Officer, ...	IV. 1827.	IV.	2
	how Plaintiff and Defendants are to proceed, see "*Plaintiff*," and "*Defendant*."			
	suits in which the Defendants are imprisoned to be tried in priority to others without regarding the order of the file,	,,	VII.	6
	also those in which the Defendant's property is to be sequestrated, ...	,,	IX.	2
	a suit may be withdrawn by Razeenama,	,,	XVIII.	
	trial not to be delayed by the absence of the Defendant or by a party neglecting to file his Pleadings,	,,	XIX. and XXII.	
	suits shall be heard in the order in which they are filed, ...	,,	XX.	1
	the time being previously intimated to the parties, ...	,,	,,	2
	and publicly notified, ...	,,	,,	3
	if a Plaintiff do not attend at the time fixed for trial his suit may be struck off the file, ...	,,	XXI.	
	but he may institute a new suit,	,,	,,	4
	how the trial shall be conducted, see "*Trial*," "*Witness*," "*Contempt*," "*Costs*."			
	when judgment has been passed no original suit can again be instituted on the same subject, ...	,,	XXV.	
	if a suit be instituted on an hereditary claim without all the heirs being parties, the Court is to give notice and allow any claimant to conjoin in the suit, ...	,,	XLVI. and XLVII.	
	suits instituted to establish a right to attached property shall be heard in priority, ...	,,	LXVII.	3
	Decrees appealed from how to be disposed of the interim, see "*Decree*."			
	Appeals in the progress of which a party may be required, and unable, to furnish additional security shall be heard in priority, ...	,,	XCIII.	
	what persons may be recognized as agents for others in conducting suits,	III. ,,	III.	
	how the proeeedings are to be recorded, see "*Record*."			
	how a suit instituted respecting a matter in arbitration is to be disposed of,	VII. ,,	VII.	
	how stamped paper is to be applied, see "*Stamp*," or "*Rate of Stamped Paper*."			
	in what cases Criminal offences may be made matter of Civil litigation,	XIV. ,,	II.	
	instituted to try a right interfered with by a local Police Rule instituted by a Magistrate, must be tried before a Zilla Judge or Assistant Judge,	XII. ,,	XIX.	7
	of certain nature to be tried by the Collectors of Land Revenue, ...	XVI. ,,	II.	1
	specification—claims for possession of land, disputes in regard to landed farmers and interest therein, Civil adjudications regarding rent of current or former year by desire of ryot and farmer or superior landholder,	XVII. ,,	XXVI. and XXVII.)	

		REG.	SECT.	CLAUSE.
Suits - - -	disputes as to use of wells, tanks, water-courses, roads to fields and boundaries, rules of procedure, ...	XVII. 1827.	XXXI. Chap. VIII.	
	may be instituted to recover the amount of a present made to certain Revenue Officers prohibited from receiving such,	XVI. „	XI.	5
	may be instituted to try a demand for which a Collector of Land Revenue has resorted to imprisoning or attaching the property of an Officer on his establishment,	„	XV.	1
	for damages may be instituted against a Village Accountant notwithstanding he may have been punished criminally for official misconduct, ...	„	XXVII.	3
	may be instituted against a Collector to try a Question originating in his settlement of Land Assessment, ...	XVII. „	IX.	2 & 3
	may be instituted against a Collector by an imprisoned Land Revenue Defaulter to try the alledged demand, ...	„	XII.	10
	may be instituted to recover an undue Land Revenue exaction, ...	„	XVI.	5
	may be instituted by an alledged defaulter against a farmer of revenue before the Collector, ...	„	(Ch. VIII.) XXVI.	5
	by a farmer against an alledged defaulter, before the Collector, ...	„	„	
	do. for arrears of former years, do.	„	XXVII.	
	of Appeal from decisions of the Collector of Land Revenue, ...	„	XXXIV.	
	if instituted by an interested party to enforce the fulfilment of conditions of land-tenure exempt from the payment of revenue, proclamation of its intended assessment may not be made,	„	XXXVIII.	4
	the Collector's inquiry into the claims of parties to exemption from payment of Land Revenue to be conducted on the rules prescribed for Civil Suits,	„	XLII.	1
	so also Original Suits and Appeals against the Collector by parties assessed and claiming such exemption,	„	XLIII. XLIX. and LI.	1
	instituted before the Revenue Judge of Bombay against the Collector of Land Revenue there, ...	XIX. „	III. IV. and VII.	
	such suits, how appealable, ...	„	VIII.	
	instituted for the recovery of opium seized as smuggled, ...	XXI. „	VI.	2
	if the opium does not exceed one Maund, and the value of the articles seized with it does not exceed Rupees 500, the suit to be decided summarily before the Court of Petty Sessions or Zilla Magistrate,	„	„	3
	but if otherwise, before the Supreme Court or Zilla Civil Court, ...	„	„	
	instituted against Officers in the Sea Customs Department to be subject to the rules regarding the Land Revenue Department, ...	XX. „	VII.	
	instituted before the Revenue or Zilla Judge, against the legality of a confiscation in the Sea Customs Department,	„	XXXIII.	1
	relating to the damage or embezzlement of of Military Stores, ...	XXII. „	XX.	

		REG.	SECT.	CLAUSE.
Suits - - -	against the Collector, by persons alledging damage through the march or encampment of troops, ...	XXII. 1827.	XLIII.	3
Summons -	for attendance of witnesses before the Suddur Foujdary Udalut to be served by the Criminal Judge or Zilla Magistrate,	XIII. „	XXIX.	3
	form of, ...	„	Appendix K.	
	for attendance of witnesses before Criminal Courts in general, what particulars to contain, ...	„	XXXIV.	1
	how to be served and enforced,	„	„	2
	for the attendance of a person charged with a Criminal offence, ...	XII. „	IX.	2
	if the party cannot be named in a summons sent from one Magistrate to be executed by another, a letter may be substituted, ...	„	XV.	1
	fees on, issued to parties or witnesses to appear at the Court of Petty Sessions or Offices of the Police Magistrates at Bombay, ...	XIX. „	XXX.	1
	for attendance of witnesses before Native Courts Martial, how to be enforced by the Magistrate, ...	XXII. „	V.	1
	to Defendants in Civil Suits—form, particulars, and how served,	IV. „	„	
	expenses, how defrayed, ...	„	„	3
	if a Defendant be not found, notice to be published, ...	„	VI.	
	the expenses, how defrayed, ...	„	„	2
	if the party be a Public Officer of certain Rank, a Copy of the Plaint is to be substituted for a summons, ...	„	IV.	2
	to witnesses in Civil Suits, how issued and served, ...	„	XXXII.	2 & 3
	in particular cases, a letter may be substituted for a summons, ...	„	„	4
	how persons disobeying them are to be punished, ...	„	XLVIII. LIV. LV. and LVI.	
	to parties in an Appeal, ...	„	LXXXIV.	
	issued from Civil Courts to be sealed,	III. „	IX.	
	to Defendants and witnesses in Civil Suit before the Collector, ...	XVII. „ (IV. „)	XXXII.	2
	to witnesses, for and against parties whose claim to exemption from payment of Land Revenue, is under inquiry by the Collector, ...	XVII. „	XLII. and XLIII.	1 1
	in suits before the Revenue Judge at Bombay, ...	XIX. „	VII.	1
Sunday - -	Civil Courts at Suddur stations or presided in by a European to be closed on Sundays, ...	III. „	I.	2
	execution of sentences of death not to take place on Sundays, ...	XIV. „	IV.	1
	Criminal Courts to be closed on that day,	XIII. „	IX.	1
	except for particular reason,	„	„	2
Sunnud - -	of Appointment for Pleaders,	II. „	XLVIII.	3
	all Sunnuds to be written on stamped paper, and of what value, ...	XVIII. „	XIX.	
	of Appointment for Kazees, ...	XXVI. „	I.	2
	for vesting Police Authority in landholders,	XV. „	II.	2

		REG.		SECT.	CLAUSE.
Sunnud - -	produced by party claiming execution from payment of Land Revenue,	XVII.	1827.	Chap. IX. XLII.	1 & 9
	rules as to the registration of, in certain places, within one year after proclamation—see Appendix E.	„		XLII.	2 to 9
	Officers recognized as having authority to make grants of exemption,	„		XXXIX. App. C.	1
	affecting immoveable property may be entered in the Register of Title Deeds,	IX.	„	III.	1
Supercargo -	rules to be observed on the arrival of vessels, ...	XX.	„	XII.	1
Superintendence	to be exercised by a Court of Circuit over the Criminal Judge's and Magistrate's Departments, ...	XIII.	„	XVI.	2 & 3
	and over the Civil Courts of the Zilla,	„		„	3 & 4
	to be exercised by Zilla Magistrates over District Police Officers and by them over Village Police Officers, ...	XII.	„	XL.	
	of Police and Administration of Criminal Justice in general vested in the Suddur Foujdary Udalut, ...	XIII.	„	XXVII.	
	of the Criminal Jail, vested in the Nazir,	„		XLII.	1
Superintendent	of the Register of Title Deeds and General Register: this Office to be held by the first Senior Assistant Judge, and in case of his absence by the Assistant next in rank, ...	II.	„	XXVIII.	3
	to keep in deposit the Kazee's Record of Marriages and Divorces, ...	XXVI.	„	VIII.	2
	of stamps, to be stationed at the Presidency and qualified by oath, ...	XVIII.	„	I.	
	for detail of his duties, see "*Stamp.*"				
	Native, for the collection of Sea Customs,	XX.	„	VI.	2
	of Military Bazars, employed in lieu of the Court of Requests in certain cases,	XXII.	„	VII. and XXXII.	1
	Appointment of—temporary do. to act on a vacancy, ...	„		XXII.	
	oath—establishment, ...	„		XXIII. and XXIV.	
	how to procure evidence, ...	„		XXV.	
	offences cognizable by, ...	„		XXVI.	
	report of cases above his cognizance,	„		XXVII.	
	offences by British born subjects when cognizable by, if a Justice of Peace,	„		XXVIII.	
	returns to the Commanding Officer,	„		XXX. and XXXII.	
	to control the manufacture and sale of spirituous liquors, ...	„		XXIX.	
	fines how to be disposed of, ...	„		XXVIII. and XXXI.	
	to try certain cases of debt—limited in specified disputes, ...	„		XXXII.	
	communication with Civil Officers and execution of Civil process within limits of Cantonments, ...	„		XXXIII. and XXXIV.	
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	to inform the Collector of illicit manufacture, ...	„		„	3
	to punish illicit sale and smuggling of spirits, under control of Commanding Officer, ...	„		XLIX.	
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		REG.		SECT.	CLAUSE.
Superintendent	troops on a march—their liability to punishment, ...	XXII.	1827.	LIII.	
Supplemental	Pleadings, may be admitted if there be sufficient cause, ...	IV.	„	XVII.	2
Supreme -	Court of Suddur Udalut, see "*Suddur Udalut.*"				
	Court at the Presidency, in what cases Appeals lie to it from decisions passed against British born subjects in Zilla Courts, ...	II. IV.	„ „	XLVI. LXXII.	6 5
	may administer the oath of qualification to a Collector of Land Revenue,	XVI.	„	III.	2
	or to his Assistants, ...		„	V.	
	exaction and receiving presents by Land Revenue Officers at the Presidency, how punished, ...	XIX.	„	„	
	abetting the smuggling of opium, in what cases prosecutable, ...	XXI.	„	VII.	2
	seizure of coasting vessels navigating without a pass in what cases prosecutable there, ...	XX.	„	XXI.	7
	convictions of British born subjects by a Magistrate and Superintendent of Bazars when removeable to, ...	XXII.	„	XXVIII.	4 & 5
	receipt of fines imposed by do.		„	„	3
Surat - -	the Nawaub of Surat (with his relations and servants) exempted from the Jurisdiction of the Civil Court, ...	II.	„	XXI.	2
	and of the Criminal Court, ...	XI.	„	I.	2
	authorized to arrest inferior landholders and other occupiers of land belonging to him against whom he may have demands of rent—and confine them in some fit place and manner for thirty days or under—complaints against the Nawaub in the exercise of such power to be cognizable by the Governor's Agent at Surat under the instructions of Government and by him only, ...	XVII.	„	XXIX.	2
	specification of districts and places composing the Zilla of—and date when jurisdiction commenced, ...	II.	„	Appendix	E.
	do. as to the recovery of bonds,	V.	„	„	A. & B.
	do. as to the registration of deeds,	IX.	„	„	D.
	do do. exempting from payment of Land Revenue, ...	XVII.	„	„	E.
Surcharge -	in the assessment of shops and stalls, on beating the battakee, on country music, and on the erection of wedding sheds and places of public amusement (Bombay,)	XIX.	„	XV.	
	in the assessment of Carriages and Horses within the Island of Bombay,		„	XXV. and XXVI.	3
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Surgeon - -	Civil, to attend the Criminal Jail of the Zilla,	XIII.	„	XLII.	2
Surrender -	to a foreign state of a person accused of having committed an offence therein, see "*Refugee.*"				
Survey - -	how a Revenue Survey is to be employed in trying Boundary Disputes, see "*Commission for trying Boundary Disputes.*"				
Surveyors -	Military—not British born subjects, amenable to the jurisdiction of Military Courts, ...	XXII.	„	III.	1

		REG.		SECT.	CLAUSE.
Suspension -	of Civil Law in case of war or rebellion,	I.	1827.	VIII.	
	in such case how law is to be administered, ...		„	IX. X. and XI.	
	of Native Officers in Zilla Courts for misconduct, ...	II.	„	XXV.	2 & 3
	of Judges and Assistant Judges, Registers and Assistant Registers, ... and		„	XXXIV.	1
		XIII.	„	II.	2
	of Law Officers, ... and	II.	„	XXXIV.	2 & 3
		XIII.	„	II.	2
	of Native Judicial Commissioners,		„	XXXVIII.	3
	of Pleaders for misconduct, ...		„	LVI.	
	of the execution of a Decree during Appeal, ...	IV.	„	LXXXI.	
	of Kazees, ...	XXVI.	„	II.	
	of their Naibs, ...		„	V.	
	of Officers belonging to the Suddur Foujdary Udalut, ...	XIII.	„	II.	2
	of Collectors of Land Revenue and their Assistants, ...	XVI.	„	VII.	4
	of Officers on their establishments,		„	IX.	
	of Native Officers on their establishments entrusted with money or papers, and failing to furnish security, ...		„	XII.	
	of hereditary District Revenue Officers and Village Officers in case of not performing the functions, ...		„	XVII.	1
	of Tullatees for neglecting to record or countersign receipts, or shew or furnish copies of account, ...	XVII.	„	XV.	3
Sutlers - -	and camp followers, not British born subjects, amenable to the jurisdiction of Military Courts, ...	XXII.	„	III.	1
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Tariff List -	how to be framed, for the levy of Custom duties on goods imported into Bombay,	XX.	„	II.	2
Tender - -	of payment, interest to cease on payment being tendered, ...	V.	„	XIV.	
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Tenements in Bombay	subject to the payment of quit or ground rents to Government—rules for giving notice of transfer to the Collector,	XIX.	„	Chap. V.	
Tenure - -	of land, see "*Exemption*," "*Assessment.*"				
Testament -	of bequest, see "*Will.*"				
Testimony -	see "*Evidence.*"				
Thakore - -	of Bhownuggur, see "*Bhownuggur.*"				
Theft - -	how defined and punishable, ...	XIV.	„	XXXIX.	
	when cognizable by Superintendent of Bazars, ...	XXII.	„	XXVI.	3
	by camp followers on a march,		„	Chap. VI.	
Thoroughfare	see "*Public Resort.*"				
Threats - -	used to procure alteration of the law or to render it nugatory, how punishable,	XIV.	„	XIV.	
	used in resistance to legal process, how punishable, ...		„	XXV.	
	of a nature tending to provoke to a breach of the peace, how punishable,		„	XXIX.	2
	or acts superstitiously supposed to be productive of evil to the person towards whom directed, though not directly injurious to him, how punishable,		„	XXXIV.	

		REG.	SECT.	CLAUSE.
Threats - -	of injury to any one, made to enforce compliance with a demand, or for revenge, how punishable, ...	XIV. 1827.	XXXV.	
Time - -	limitation of, for the institution of suits &c. see "*Limitation*," or the matter under its respective head.			
Tindal - -	rules to be observed on the arrival of vessels, ...	XX. „	XII.	1
	rules for marking fishing vessels,	„	XX.	2
Title Deeds -	register of—rules regarding, ...	IX. „		
Tobacco -	at what places importable within the Island of Bombay—to be conveyed to Colaba and Old Woman's Island by ferry only, ...	XXI. „	XVII.	1 & 2
	may be warehoused, or passed on paying duties— permits required— exportable, but without drawback, ...	„	„	3
	vessels of less than 500 Candies having tobacco on board how to be reported to the Custom Officers, ...	„	XVIII.	1
	provisions as to marking packages, landing, and deposit, under penalties,	„	„	2 & 3
	duty on imported tobacco three Rupees per Maund exclusive of 3½ per Cent *advalorem*, ...	„	XIX.	
	rules as to the warehousing of tobacco, and delivery to licensed retailers or wholesale dealers for home consumption, ...	„	XX. to XXII.	
	penalties for sale of, without license—exception, ...	„	XXIII.	
	rules for renewal of license, return of tobacco in warehouses, &c. and certificate of the Collector, ...	„	XXVI. to XXVIII.	
	Monthly Returns by licensed retailers—limitation to the issue of permits,	„	XXIX. and XXX.	
	Collector may enter and examine premises —penalty for obstructing him,	„	XXXI.	
	rules for the exportation of warehoused tobacco, when entitled to drawback; for internal consumption, exportable under permit, without drawback,	„	XXXII.	
	superintendence of exportation, by sea or land, ...	„	XXXIII.	
	penalties for smuggling and illegally retailing do.	„	Chap. VIII.	
Toddy - -	included in the terms "*Spirit*," *and* "*Spirituous Liquor*," if in a fermented state,	„	LIV.	2
	may be manufactured by farmers or licensed venders (LX. and LXVI.)	„	„	3
	provision for the sale of, by licensed retail venders, ...	„	LXVI.	
Tour - - -	of Circuit—see "*Circuit*."			
Town Duty	of ½ Rupee per gallon on spirits imported into Bombay—½ Rupee leviable on spirits manufactured from the produce of, Salsette, Caranja, and Fort Victoria, ...	„	XLVIII. and XLIX.	
Town - -	rules—see "*Public Resort*."			
Trade - -	forbidden to certain Public Officers—see "*Commercial Transactions*."			
Traga - -	how punishable, ...	XIV. „	XXXIV.	
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Transfer -	of a Defendant's property for the purpose			

		REG.		SECT.	CLAUSE.
Transfer -	of evading legal process, see "*Alienation.*"				
	of houses, lands and tenements in Bombay subject to the payment of quit or ground rents to Government—rules for giving notice of to the Collector, ...	XIX.	1827.	Chap. V.	
Translations	of Regulations, how to be made and published, ...	I.	„	IV.	
	of Judicial Papers to be made in certain cases by the Seristadar of the Suddur Dewanny Udalut, ...	II.	„	XII.	2
	of Records in Appeals to the King in Council, ...	IV.	„	C.	6
	of what documents are to be furnished to a Court of Circuit by a Criminal Judge,	XIII.	„	XIX.	4
	of exhibits before a Special Court to be forwarded to Government, ...	„		XXVI.	1
	of the record of dismissal of an Officer on the Collector of Land Revenue's Establishment, to be transmitted to Government, ...	XVI.	„	IX.	2
Transportation	as a punishment, how to be inflicted,	XIV.	„	V.	1
	a Criminal returning without pardon, how to be dealt with, ...	„		„	2
	may be adjudged by Government in commutation of imprisonment for life,	„		VII.	1
	a receipt of the prisoner by the Senior Magistrate of Police at the Presidency to be returned to the Suddur Foujdary Udalut instead of the Warrant,	XIII.	„	XV.	3
	sentence of, by Court Martial,	XXII.	„	X.	
	execution through the Criminal Judge,	„		„	4
Treason - -	how defined, ...	XIV.	„	XII.	1
	how punished, ...	„		„	2
	how dealt with during suspension of Civil Law, ...	I.	„	IX. and XI.	
Treasuries -	permanent guards for, at out-stations, how furnished, ...	XXII.	„	XLV.	
Treaty - -	article by which the Nawaub of Surat is exempted, with his relations and servants, from the Jurisdiction of the Zilla Courts, ...	II.	„	Appendix F.	
	and	XI.	„	„ A.	
	Government authorized to give up to foreign Governments Refugees if so expressed in a treaty, ...	„		V.	3
Trial - -	of offences, how to be conducted by a landholder vested with Police Authority, for further particulars, see "*Landholder.*"	XV.	„	IX.	
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	of Civil Suits,				
	if a Defendant be absent at the time fixed for hearing, the trial may proceed ex-parte, ...	IV.	„	XIX. and XXII.	1
	if Pleadings be not filed at the time fixed, the trial shall not be thereby delayed,	„		„	2
	trials shall be heard in the order on which the suit stands on the file, ...	„		XX.	1

		REG.	SECT.	CLAUSE.
Trial - -	the time being previously intimated to the parties, ...	IV. 1827.	XX.	2
	and publicly notified, ...	„	„	3
	if the Plaintiff do not attend at the time fixed, the suit may be struck off the file,	„	XXI.	1
	but may be replaced for good reason shewn,	„	„	2
	and subject to Appeal, ...	„	„	3
	in an exparte trial the Plaintiff's Affidavit may be taken as evidence,	„	XXII.	2
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	the charge to be distinctly explained,	„	„	4
	the Court may take the opinion of a Jury,	„	„	5
	convicts entitled to copies of the sentences and of any document recorded on the trial, ...	„	„	6
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	what authentication renders valid a deposition or document furnished by an authority different from that before which the trial is held, ...	„	XXXIX.	
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	witnesses to be bound over to attend, and in some cases the offenders also,	„	XXV.	
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		REG.	SECT.	CLAUSE.
Trial - - -	of the principal, or of any one more deeply concerned, ...	XII. 1827.	XXXIV.	
	but in cases of treason the sanction of Government is required, ...	„	XXXVI.	
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	all prisoners committed before the close of the session to be tried, ...	XIII. „	XVI.	1
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	the Criminal Judge how to prepare the prisoner for making his defence,	„	XVIII.	
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	may be twice postponed to the ensuing session, ...	„	XXII.	1
	what records are to be furnished by the Criminal Judge, ...	„	XIX.	2
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	forms of courtesy to be observed when a landholder is on trial, ...	XV. „	XVIII.	
	or certain of his relations, ...	„	XX.	
Trivial - -	robbery of such nature, how defined and punishable, ...	XIV. „	XXXIX.	
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Tukavee -	advances made as such to cultivators, how recoverable, ...	„	XIII.	
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	to act under the Collector's orders,	„	XVII.	1
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	when the Office is held in shares, how the discharge of the duties is to be arranged,	„	„	4
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	and not alienable, ...	„	XX.	
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	and persons concerned allowed to take copies, ...	„	„	2
	authorized to enter all lands of the village and demand information from individuals, ...	„	XXIV.	
	in which to be supported by the Head of the Village, ...			

		REG.	SECT.	CLAUSE.
Tullatee -	to enter as assessable (but with the Collector's sanction) land for exemption of which no Title Deed is registered,	XVI. 1827.	XXV.	2
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	to prepare official papers for the Head of the Village or for Arbitrators,	„	XXVI.	
	fraudulently keeping accounts, how punishable, ...	„	XXVII.	1
	and how receiving presents, ...	„	„	2
	besides which an action may be laid for damages, ...	„	„	3
	to countersign and record receipts for payments of Land Revenue, penalty for neglecting the same,	XVII. „	XV.	1
	to produce accounts and furnish copies of them to those concerned, ...	„	„	2
	penalty for refusing so to do, ...	„	„	3
	a person acting as Tullatee liable to the two preceding penalties, ...	„	„	4
Uniforms -	Military, not to be used without due authority, ...	XXIII. „	V.	
United Kingdom -	opium regularly manifested from, not liable to import duty of twelve Rupees per Surat Seer at Bombay and its subordinates, ...	XXI. „	I.	2
Urgency -	in cases of urgency Civil Courts may transact business on days of usual adjournment, ...	III. „	I.	2
	or out of Court, ...	„	II.	2
	Criminal Courts may on such occasions transact business on days of usual adjournment, ...	XIII. „	IX.	2
	in cases of, landholders vested with Police Authority may call for aid from the inhabitants in general, who are punishable if they refuse it, ...	XV. „	III.	
	and search dwelling houses for stolen property at night, ...	„	VII.	3
	and detain a prisoner longer than the specified period of sixty hours, reporting the same to the Magistrate,	„	XII.	2
	in cases of, dwelling houses may be searched for stolen property at night,	XII. „	IX.	4
	by District Police Officers,			
	by Heads of Villages, ...	„	L.	2
	in cases of, and for public purposes, the Magistrate may compel the services of labourers, or persons keeping articles for hire, at the highest usual rate,	„	XVIII.	1
	in cases of, District Police Officers may detain prisoners beyond the allowed period of forty-eight hours reporting the same to the Magistrate, ...	„	XLIII.	4
	and Heads of Villages beyond the period of twenty-four hours, ...	„	L.	4
	in cases of, exempted lands may be assessed, ...	XVII. „	II.	2
	in cases of, impressment may be resorted to, by Magistrates for the procuring services or supplies for troops on a march,	XXII. „	XLII.	
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	how it affects Compound Interest,	„	XI.	

		REG.	SECT.	CLAUSE.
Usage - -	of the country, to be considered in the decision of lawsuits, ...	IV. 1827.	XXVI.	
	of sects or castes, how to be ascertained in lawsuits, ...	„	XXVII.	2
	of the country, breach of in a Decree may be met by a Special Appeal,	„	XCIX.	1
	to be followed in Land Revenue Collections and Assessments when there is no Regulation applicable, ...	XVI. „	II.	1
	and in determining the individuals who are to be considered parties in settling and collecting such assessments,	XVII. „	VIII.	
Vakeel - -	Pleaders in Civil Courts, see "*Pleaders.*"			
Vakalut Nama	a Pleader may act for Government on a general Vakalut Nama, a Duplicate being filed in the Zilla Court,	II. „	XLVII.	4
	but in other cases a Vakalut Nama is requisite for each case, ...	„	L.	
	to be delivered with the Plaint,	IV. „	III.	2
	what stamp it requires, ...	XVIII. „	XVIII.	
Value - -	if the full value has not been received for a written acknowledgment of debt, the latter is not to be conclusive as to the amount, ...	V. „	IX.	
Vechania -	this species of land tenure not to be considered as recognized by the custom of the country as exempt from Land Revenue, so far as regards the rights of Government, ...	XVII. „	XXXV.	1
Veil - - -	Female Witnesses may remain veiled,	IV. „	XXXIX.	2
Venders of Stamps	how appointed, ...	XVIII. „	III.	1
	how punishable for misconduct,			
	receiving more than the value of a stamp to be punishable as extortion,	„	VIII.	
	see "*Spirituous Liquors.*"			
Verdigrease	sale of, how restricted, ...	XIV. „	XX.	
		XXI. „	Chap. IX.	
Veta Chalee	or laying the assessment of one portion of land nominally on another, this practice to be discontinued, ...	XVII. „	IV.	4
Veterinary Department	persons in, not British born subjects, amenable to the jurisdiction of Military Courts, ...	XXII. „	III.	1
Vexatious -	Suits, Pauper Plaintiffs not exempted from the penalties for such, ...	VI. „	XIII.	
	sequestration of a Defendant's property, how redressed, ...	IV. „	X.	
	suits, how punishable, ...	„	LIII. to LVI.	
	Special Appeals not exempted from the penalty, ...	„	XCIX.	6
Village -	head of, see "*Head of a Village.*"			
	Accountant, see "*Tullatee.*"			
	Police, see "*Head of a Village.*"			
	Boundaries, Disputes respecting them to be tried by a Commission, see "*Commission for trying Disputes respecting Village Boundaries.*"			
	establishments, may be employed in Police Duties by landholders vested with Police Authority, ...	XV. „	III.	
	Police Officers, to be under the Superintendence of the Zilla Magistrate,	XII. „	XXII.	1
	and amenable for misconduct in the same way as Revenue Officers, ...	„	„	2

		REG.	SECT.	CLAUSE
Village - -	how responsible for robberies, see "*Responsibility.*"			
	Havildar or Beadle—may be employed by Kamavisdars or Heads of Villages in realizing revenue demands—fee not exceeding half anna, ...	XVII. 1827.	XVII.	
	and by farmers, ...	„	XXIV.	
	watchmen—may be employed by Heads of Villages in preventing the removal of crops in certain cases, ...	„	XVIII.	
	Revenue Officers,			
	to be subordinate to the Collector in discharging such duties as appertain to the Office, under penalty of suspension,	XVI. „	XVII.	1
	how the incumbent is liable to dismissal,	„	„	2
	if the office be held by co-sharers, how the discharge of its functions is to be arranged, ...	„	„	4
	if hereditary and the incumbent incapable, he may appoint a deputy, ...	„	XVIII.	
	land and allowances attached to the office to be recorded by the Collector,	„	XIX.	
	and not alienable, ...	„	XX.	
	Revenue Accounts and Records to be kept by the Tullatee, ...	„	XXII. and XXIII.	
	not to be removed from the Village, open to inspection, ... parties concerned may take copies, which the Collector must authenticate if on the proper stamped paper,	„	XXIII.	2
	to be shewn and copies furnished by the Tullatee, ...	XVII. „	XV.	2
	shareholders,			
	when usage establishes a right of such nature, it is to be preserved, ...	„	VIII.	
	so long as the shareholders pay the revenue, ...	„	„	2
Violation -	of local police rules, how punishable,	XIV. „	XXIII.	
Violence -	personal, among the circumstances which constitute robbery by force,	„	XXXVI.	3
Visit - -	the Zilla Judge to visit the Civil Jail at least once in a month, ...	II. „	XXVI.	
	and the Criminal Jail in his Criminal capacity, ...	XIII. „	XLII.	5
	the Judge on Circuit to visit the Civil and Criminal Jails, ...	„	XVI.	3
	allowed to be made by his friends to a prisoner under sentence of solitary confinement, ...	XIV. „	VII.	2
	to be made periodically to state prisoners,	XXV. „	IV.	
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Voice - -	see "*Casting Vote.*"			
Vote - - -	see "*Casting Vote.*"			
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	rules for the warehousing of Tobacco, foreign Snuff and Ganza, imported into Bombay, ...	„	Chap. VI.	
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		REG.		SECT.	CLAUSE.
Warrant -	for confining a state prisoner,	XXV.	1827.	Appendix	A.
	issued by the Court of Suddur Foujdary Udalut or of Circuit to be executed by the Criminal Judge, ...	XIII.	„	XII.	5
	and the same how to be certified,	„		XV.	1 & 3
	their form, ...	„		Appendix	L.
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	for detaining a prisoner found guilty by such Court until the Suddur Foujdary Udalut issue a warrant, ...	„		„	I.
	for executing a sentence passed by a Special Court, ...	„		„	J.
	by the Magistrate for apprehending an offender, (see "*Summons.*")	XII.	„	IX.	2
	of a sentence to be executed by the Criminal Judge, ...	„		XIII.	1
	for seizing smuggled opium, ...	XXI.	„	V.	2
	for seizing Tobacco, foreign Snuff, or Ganza, liable to confiscation, ...	„		XL.	2
	for distress and sale of property of a defaulter in payment of forfeitures regarding do.—and for commitment of his person to Bombay Jail, ...	„		XLII.	
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Watchmen -	may be employed by the Collector of Land Revenue to prevent the unlawful reaping or removing of crops, at what rate to be paid, ... and by the occupant of the land,	XVII.	„	XI.	3
	do. by authority given to Heads of Villages, ...	„		XVIII.	
	may be employed by farmers of revenue under the Collector's authority to prevent reaping or removal of crops—their remuneration defrayed as in other cases,	„		XXIII.	1
Watercourses	Questions regarding the use of, to be cognizable by the Collector as a Civil Suit,	„		XXXI.	4
Weapon -	the use of, among the circumstances which constitute robbery by force,	XIV.	„	XXXVI.	3
Wedding Sheds	licenses for, under assessment and penalty &c.	XIX.	„	X. XI. and XIV.	
Weights -	false, or fraudulent use of, how punishable,	XIV.	„	XXII.	
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Will - - -	to be proved when an executor is formally recognized, ...	VIII.	„	V.	
	and registered, ...	„		VI.	
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	Deeds of devise affecting immoveable property in the Register of Title Deeds,	„		III.	1
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Witness - -	in Revenue Matters,				
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		REG.		SECT.	CLAUSE.
Witness - -	in Civil Suits,				
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	or by the authority of the Court,		„	„	2
	in the latter case how the summons shall be served and expenses defrayed,		„	„	3
	in particular cases a letter may be substituted for a summons, ...		„	„	4
	the attendance may be procured by force,		„	„	5
	what circumstances render a witness incompetent, ...		„	XXXIII.	
	witnesses to be qualified by admonition,		„	XXXIV.	1
	which shall involve the same penal responsibility as an oath, ...		„	„	2
	but if necessary an oath may be administered, ...		„	„	3
	if false deposition be made the witness shall be committed for trial in a Criminal Court, ...		„	„	4
	in what manner a witness shall be examined, ...		„	XXXV.	
	how depositions are to be recorded,		„	XXXVI.	1
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	infirmity, sex, or rank, may privilege a witness to be examined by Commission instead of attending in Court,		„	XXXIX.	
	witnesses so privileged how to be proceeded with by a Native Commissioner,		„	XLI.	
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	how Commissioners for taking evidence are to proceed, ...		„	XLII. and XLIII.	
	how the expenses of witnesses are to be reimbursed, ...		„	XLV.	
	how witnesses neglecting a summons are punishable, ...		„	XLVIII.	
	how for refusing to answer, ...		„	XLIX.	1
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	limits to the punishments which Assistant Judges and Native Commissioners may inflict on contumacious witnesses, ...		„	LIV. and LV.	2
	fines for the same appealable, ...		„	LV.	1
	imprisonment for the same, how to be inflicted, ...		„	LVI.	
	how a witness is to be compelled to answer,		„	XLIX.	2
	how witnesses are to be examined in an Arbitration Suit, ...	VII.	„	IV.	2
	how by a Commission for trying Village Boundary Disputes, ...	X.	„	IX.	
	attendance of, before Military Courts of Requests, ...	XXII.	„	VII.	3
	do. before the Superintendent of Bazars, in certain cases of debt, ...		„	XXXII.	
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	before the Suddur Foujdary Udalut, the summons to be served by the Criminal Judge or Zilla Magistrate, ...	XIII.	„	XXIX.	3
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	how to be summoned and bound over or forced to attend, ...		„	XXXIV.	1 & 2
	how if the witness be not within the Court's Jurisdiction, ...		„	„	2 & 3
	trustworthy persons may be summoned without form or security, ...		„	„	3

		REG.	SECT.	CLAUSE.
Witness - -	a witness present in Court may be examined without any summons being issued,	XIII. 1827.	XXXIV.	4
	accomplices may be admitted as witnesses in a Criminal Court in the same way as before a Magistrate, ...	„	„	5
	and under certain conditions before a Magistrate, ...	XII. „	„	
	infirmity or personal consideration may privilege a witness to be examined out of Court, ...	XIII. „	„	6
	the evidence of a deceased witness if already made before competent authority may be received, ...	„	„	7
	penalties for non-appearance of a witness to be levied by order of the Court before which the case is ultimately tried, which may mitigate them, ...	„	„	8
	how to be subsisted while in attendance,	„	„	9
	to be bound over to attend, ...	XII. „	XXV.	
	landholders vested with Police Authority may compel the attendance of,	XV. „	VII.	3
	the competency of witnesses determined according to the rules in Regulation IV. 1827, XXXIII., ...	XIII. „	XXXV.	
	in what form depositions are to be recorded and what particulars they are to contain,	„	XXXVI.	1
	oaths to be administered, and how,	„	„	2
	but admonition may be substituted,	„	„	
	what proceeding to be adopted if a witness dispute the correctness of a written deposition, ...	„	„	3
	a witness not to be required to criminate himself, ... if he otherwise refuse to answer or conform to the rules for taking evidence he is to be confined till he comply, and is also liable to punishment for contempt, ...	„	„	4
	an accomplice may be pardoned for the sake of his evidence, ...	XII. „	XXXIV. and XXXVI.	
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	how to be summoned and attendance enforced before a District Police Officer, how punishable for non-compliance,	„	XLI.	2
	in what cases witnesses are bailable by a District Police Officer, ...	„	XLIII.	2
	may be examined by the Head of a Village, and how to be dealt with for contumacy, ...	„	XLIX. and L.	2 3
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	evidence how procurable by the Superintendent of Bazars, ...	„	XXV.	
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		REG.		SECT.	CLAUSE.
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Written Acknowledgments	of debts not conclusive as to the amount in certain cases, ...	V.	„	IX.	
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	what writings require to be on stamped paper, if concerning private transactions,	XVIII.	„	X. and XI.	
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Zemeendar -	respecting the Police Authority with which they may be invested, see "*Landholder.*"				
Zilla - -	Courts of Civil Judicature,				
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	number of Zillas (Appendix E.) may, as well as their limits, be altered by Government proclamation, ...		„	XVI.	2
	to be qualified by oath, ...		„	XIX.	
	at what places the Court may be held, ordinarily and incidentally, ...		„	XVII.	
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	Mohummedan and Hindoo Law Officers to be appointed to Zilla Courts,		„	XXIX.	1
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	Seristadars and Writers to be appointed to Zilla Courts, ...		„	XXXI.	1
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	Pleaders to be appointed by Sunnud,		„	XLVII. and XLVIII.	

		REG.		SECT.	CLAUSE.
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	Native Commissioners to furnish records when called for by the Zilla Court,	„		XLIV.	
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	to have jurisdiction over Collectors of Land Revenue and all Officers on their establishments for acts done in their official capacities, ...	„		VI.	1
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	Original Suits against the Collector, and Appeals, by parties, newly assessed for payment of Land Revenue, under what rules admissible, ...	„		XLIX.	
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	to determine (with the sanction of the Suddur Udalut) what fees Kazees may receive, ...	„		VII.	
	to report to Government charges of corruption or extortion against European Civil Officers, ...	II.	„	XXV.	1
	may suspend a Native Commissioner for neglect of duty during two months, but beyond that time the matter must be reported to the Suddur Dewanny Udalut,	„		XXXVIII.	3
	to exercise the functions of Magistrate within certain limits, ...	XII.	„	I. and II.	1
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		REG.		SECT.	CLAUSE.
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Receiving -	stolen goods, how defined and punishable,	XIV.	„	XLI.	1
	a person who has in a legal manner received stolen property does not acquire a right paramount to that of the person from whom stolen, but may recover the value from him, from whom he received the property, ...		„	„	
Recognizance	how to be entered into, a bond to be executed, and a penalty affixed, ...	XII.	„	XXIV.	1 & 2
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	may be redeemed at any time by the party giving himself up, ...		„	XXVI.	1
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Chapter II Commencing with Section XVI	Of Zillah Courts inclusive of the Subsidiary Courts of the Assistant Judges	
Chapter III Commencing with Section XXXIV	Of the appointment, Removal and punishment of Officers of Courts.—	
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Regulation VII A.D. 1828.

(Supplement 1st to Reg: II. A.D 1827.)

Passed on the 20th of August 1828.

Instituting a Court of Appeal for the Zillahs comprised in the Province of Cuttack Subordinate to the Supreme Civil Jurisdiction of the Sudder Dewanee Adalut.—

Regulation

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Chapter II Commencing with Section II	Of the mode of instituting Suits.	
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Chapter

Chapter X Commencing with Section XLVI	Of Notice to be given to cohairs interested in Suits which have been instituted without their participation.	
Chapter XI Commencing with Section XLIII	Of contempts	
Chapter XII Commencing with Section LVII	Of Costs	
Chapter XIII Commencing with Section LIX	Of enforcing Security Bonds taken in Suits	
Chapter XIV Commencing with Section LX	Of the decree and its enforcement	
Chapter XV Commencing with Section LXXI	Of the Revision of Original decrees	
Chapter XVI Commencing with Section LXXII	Of the admission and rejection of Appeals	
Chapter XVII Commencing with Section LXXXI	Of staying and executing Decrees under Appeal	
Chapter XVIII Commencing with Section LXXXIII	Of Procedure and Trial in Appeal.	
Chapter XIX Commencing with Section XCIV	Of the Decree in Appeal.	
		Chapter

Chapter XX Commencing with Section XCVI	Of the revision of Decrees passed in Appeal.-	
Chapter XXI Commencing with Section XCVII	Of applications to the Sudder Dewanny Adawlut in incidental Complaints.-	
Chapter XXII Commencing with Section XCIX	Of special Appeals.	
Chapter XXIII Commencing with Section C.	Of Appeals to the King in Council.-	

Regulation V. A.D. 1827

Passed on the 1st January 1827.

Defining the limitations, as to time, within which Civil actions may be prosecuted, and containing rules of Indication respecting written acknowledgments of debts executed without receipt of a full consideration, also regarding interest, the tendering payment of debts, and the disposal of property mortgaged or pledged.-

Chapter I Commencing with Section I	Of limitation of time for prosecuting Civil Actions.	
Chapter II Commencing with Section IX	Of acknowledgments of debts executed without receipt of a full consideration in Value.	

Chapter

Chapter III Commencing with Section X	Of the rate of in=terest and the pe=riod during which it may continue.-	
Chapter IV Commencing with Section XIV	How a claim to interest is affected by tender of pay=ment.-	
Chapter V Commencing with Section XV	Of the disposal of property mortgag=ed or pledged.-	

Regulation VI. A.D. 1827.

Passed on the 1st January 1827

For admitting persons to sue or defend in Suits or Appeals in forma pauperis.-

Regulation VII. A.D. 1827

Passed on the 1st January 1827.

To facilitate the amicable adjustment of disputes of a Civil nature by means of Arbi=trators (a Punchaet).-

Chapter I Commencing with Section I	Of the appointment of Arbitrators for ad=justing disputes of a Civil Nature.-	
Chapter II Commencing with Section IV	Of the Proceedings of Arbitrators.-	
Chapter III Commencing with Section VIII	Of making executing and Appealing from Awards.-	

Regulation

Regulation VIII A.D. 1827

Passed on the 1st January 1827.

To provide for the formal recognition of Heirs Executors and Administrators, and for the appointment of Administrators and Managers of property, by the Courts.-

Chapter I Commencing with Section I	Rules for the recognition of Heirs Executors and Administrators when there is a competent Claimant.-	
Chapter II Commencing with Section IX	Of the appointment of an Administrator by the Zilla Court, when there is no Heir or Executor competent and willing to be placed in possession.-	

Regulation IX A.D. 1827

Passed on the 1st January 1827.-

For establishing a Register of title deeds, and a General Register of deeds, obligations, and other writings, in each Zilla Subordinate to the Presidency of Bombay.-

Chapter I Commencing with Section I	Of the form and nature of the Register of title deeds, and the General Register respectively, and of the mode of registering documents.-	
Chapter II Commencing with Section VI	Of the effect of registration in the Register of title deeds, and special provisions in favour of ancient documents, and of the grant of Copies of registered Deeds.-	
Chapter III Commencing with Section IX	Of the effect of registration in the General Registry.-	

Regulation I

Regulation XIII A.D 1828.

(Supplement 1st to Regn IX A.D 1827)

Passed on the 20th of August 1828.

For enabling Assistant Judges, when expedient, to keep the Registers prescribed by Regulation II of 1827, when Stationed in the district.

Regulation X A.D. 1827.

Passed on the 1st Jan 1827.

For trying and deciding disputes, regarding the boundaries of Villages, by means of a special Commission.-

Chapter I Commencing with Section I.	Of constituting a Commission for the trial of disputes regarding boundaries, and of appointing its members.	
	The official connexion of duties between the Magistrate and the Court of Sudur Foujdaree Adalut, as well as the Court of Circuit. Superintendence of Subordinate Police Officers.- Punishment for contempt of the Magistrates authority.-	
Chapter III Commencing with Section XXIV	Of precautionary measures for preserving the peace and preventing Crime, comprising Recognizance and Security, expulsion, dispersing unlawful meetings.- Seizure of unlawful implements.-	
Chapter IV Commencing with Section XXXI	Of extraordinary measures subsequent to the apprehension and punishment of Offenders, comprising.-	

And

	And Civil and Military Rewards. Responsibility of Villages and their Police establishments for robberies. Attachment of the property of fugitives. Banishment of outlaws.	
Chapter V Commencing with Section XL	Of the duty of district police officers.	
Chapter VII Commencing with Section XLVIII	Of the duties of the district Police Officer or head of a Village, and of Village Police.	

Regulation XII A.D. 1828.

(Supplement 1st of Regn XII A.D. 1827)

Passed on the 20th of August 1828.

For giving to Assistant Criminal Judges, & where expedient, when Stationed elsewhere than at the Sudder Station of a Zillah, the police powers within the limits of the Town where he may be Stationed; and for empowering Zilla Magistrates to refer cases to such Assistant Criminal Judge, instead of the Criminal Judge.

Regulation XIII A.D. 1827.

Passed on the 1st January 1827.

For defining the constitution of Courts of Criminal Justice, and the functions and proceedings thereof.

Chapter I Commencing with Section I	Functions of Criminal Justice, and establishment of Courts for its administration.	

Chapter

Chapter II Commencing with Section XII	Of the duties of the Criminal Judges.	
Chapter III Commencing with Section XVI	Of the functions of the Court of Circuit and duties of the Criminal Judge as connected therewith	
Chapter IV Commencing with Section XXIV	Of the duties of the Special Court	
Chapter V Commencing with Section XXVII	Of the duties of the Court of Sudder Fouj-dari Adalut.-	
Chapter VI Commencing with Section XXXIV	Rules for procuring, taking and recording evidence, and for the conduct of trials by Criminal Courts.-	
Chapter VII Commencing with Section XLII	Of the Jail and of the Custody and treatment of Prisoners.-	

Regulation VIII A.D. 1828.

(Supplement 1st to Regn. XIII A.D 1827)

Passed on the 20th August 1828.

Instituting a Provincial Court of Circuit for the Zillas comprised in the Province of Guzerat, subject to the Supreme Criminal Jurisdiction of the Sudder Fouj-dari & Adalut upon the removal of that Court to the Presidency, and for providing for the charge of Jails where there is no Criminal Judge or Assistant Criminal Judge.-

Regulation

Regulation XI A.D 1828.

(Supplement 2nd to Reg.n XIII A.D 1827.)

Passed on the 20th August 1828.

For rendering where expedient the powers of Assistant Criminal Judges co-extensive with Assistant Judges, in regard to the limit of Civil Jurisdiction, when Stationed elsewhere than at the Sudder Station of a Zilla, and extending their powers.-

Regulation XVI A.D 1828.

(Supplement 3rd to Reg.n XIII A.D 1827.)

Passed on the 24th Sept.r 1828.

For establishing Subsidiary Jails where necessary.-

Regulation XIV A.D 1827.

Passed on the 1st January 1827.

For defining Crimes and Offences and specifying the punishments to be inflicted for the same.-

Chapter I Commencing with Section I	A General description of the acts which are to be considered Criminal with reference to the mode in which each is punishable.-	
Chapter II Commencing with Section III	Of punishments and the mode of their execution.-	
Chapter III Commencing with Section VII	Of Offences against the State, in its domestic and foreign relations and the punishments to which they are liable Criminal Treason Rebellion Unlawful attempt to alter the established laws disturbing the peace of foreign States.-	Chapter

Chapter IV Commencing with Section XVI	Of Offences against morality or the community at large and the punishments to which they are liable, comprising— Perjury; Forgery; Coining; Issuing base Coin; Selling poisons; Disguising the appearance of Valuable Articles; Fraudulent use of weights or measures; Fraudulently describing Articles offered for Sale; violation of local police rules; escape from custody; Resistance of legal process.—	
Chapter V Commencing with Section XXVI	Of offences against the person, and the punishments to which they are liable; comprising— Murder; Culpable homicide; Procuring abortion; Rape and other assaults; Insult and threatening; Illegal import, export and transfer of Slaves; Kidnapping, detention and forced Service— Denunciations by means of Traja, Dhurna, Shansa, &ca	
Chapter VI Commencing with Section XXXVI.	Of Offences against property, and the punishment to which they are liable; comprising— Gang Robbery; Robbery; Theft; Breach of trust; Receiving stolen Goods; Destroying property;	

Regulation

Regulation XVII. A.D. 1828.

(Supplement 1st to Regn. XIV. A.D. 1827)

Passed on the 3d December 1828.

To provide for the punishment of the crime of conspiracy.-

Regulation III. A.D. 1829.

(Supplement 2nd to Regn. XIV. A.D. 1827)

Passed on the 18th November 1829.

To provide for the punishment of frauds committed in the packing and sale of Cotton.-

Regulation XV. A.D. 1827.

Passed on the 1st January 1827

Containing rules under which land holders may be invested with police authority within their respective lands, or other convenient limits, and deprived of the same; and declaring the mode of procedure to be followed in regard to them in Criminal matters.-

Chapter I. Commencing with Section I.	Of the appointment of land holders to the police Jurisdiction within their lands or other convenient limits and of the extent and nature of the authority conferred upon them and mode in which it may be withdrawn.-	

Chapter

Chapter II Commencing with Section XIV	of the mode of proceedure to be followed in Criminal matters in regard to Land holders invested with police authority under this Regulation.-	

Regulation XVI A.D. 1827.

Passed on the 1st January 1827.

Defining the duties of the Collector, and his power in regard to Subordinate Revenue Officers, and providing rules for the guidance of Land revenue Officers in general throughout the territories subordinate to Bombay.-

Chapter I Commencing with Section I	of the appointment and duties of the Collector and his assistants.-	
Chapter II Commencing with Section IX	Of Native Collectors of districts and other Native Officers on the regular Establishment of the Collector.	
Chapter III Commencing with Section XVII	of hereditary district and Village Officers, inclusive of Village accountants.-	

Regulation XVII A.D. 1827.

Passed on the 1st January 1827.

For the territories subordinate to Bombay, prescribing rules for the assessment and realization of the land revenue, defining the relative rights in the land and its produce, of the Government and the subject, of the superior holder and the tenant; vesting the

Collector

Collector with judicial powers in cases regarding land and its rent and produce, and declaring the circumstances under which exemption from the payment of land revenue is to be enjoyed.-

Chapter I Commencing with Section I	Rules regarding Assessment concluded between by the revenue Officers of Government and descriptive of the relative rights of Govt and the occupant of land.-	
Chapter II Commencing with Section XI	Of precautionary measures for the security of the land Revenue.-	
Chapter III Commencing with Section XII	Of realization of the revenue by distraint of the person and property of the defaulter	
Chapter IV Commencing with Section XV	Rules for the Security of the Ryot by means of the regularity and publicity of Village Accounts penalties attached to undue exactions and penal Jurisdictions of the Zillah Magistrate and Criminal Judge in such cases.	
Chapter V Commencing with Section XVII	Of the responsibility and authority of Komavisdars and heads of Villages for the realization of the revenue.	
Chapter VI Commencing with Section XX	Of farmers and of their power and responsibility.-	

Chapter

Chapter VII Commencing with Section XXIX	Of the powers and responsibility of Superior holders of land in respect to the realization of the rent of their lands and to the payment of Revenue due therefrom.	
Chapter VIII Commencing with Section XXXI	Of the Civil Jurisdiction of the Collector in the adjustment of the respective rights of parties in cases which relate to land and its rent and produce.	
Chapter IX. Commencing with Section XXXV.	Of titles to exemption from the payment of land revenue.	
Chapter X. Commencing with Section XL	Rules for examining and deciding upon claims to exemption from the payment of land revenue, and for discontinuing such exemptions when not duly established.	

Regulation XXXIV. A.D. 1827.

(Supplement 1st to Regn XVII. A.D. 1827)

Passed on the 24th September 1827.

For vesting the Nawab of Surat with more extensive powers in compelling payment of his dues from his tenants and Cultivators.

Regulation VI. A.D. 1828.

(Supplement 2d to Regn XVII. A.D. 1827)

Passed on the 10th June 1828.

For extending, in the same manner as in Suits before the Courts of Civil Judicature, stamps to Suits cognizable by Collectors under the operation of Chapr. VII Regn XVII of 1827 or any other now in force.—

Regulation

Regulation XVIII AD 1827.

Passed on the 1st January 1827.

For levying a Stamp duty on certain papers with in the territories Subordinate to the Presidency of Bombay.

Chapter I Commencing with Section I	Of stamps, rules for the supply and vend of them and punishments assigned to illegal sales and purchases.	
Chapter II Commencing with Section X	Of stamps required to be used by individuals in their transactions with each other.	
Chapter III Commencing with Section XV.	Of stamps required to be used in Law proceedings and for the authentication of certain public Documents and Papers.	

Regulation III AD 1828.

(Supplement 1st to Regn XVIII AD 1827)

Passed on the 21st May 1828.

For subjecting to the Stamp duty certain plaints and other papers exempted therefrom under Regulation XVIII of 1827.

Regulation XIX AD 1827.

Passed on the 1st January 1827.

For the Presidency, prescribing, rules for the assessment and collection of the land Revenue; and for collecting Taxes on Shops and Stalls on beating the Battakee or making proclamation by the crier, on Country Music, on wedding sheds, and places of public amusement, on houses, on Carriages and on horses, for causing individuals who may sell or transfer houses or tenements subject to quit or ground rent to give notice of the same to the Collector, and also for levying fees in the Petty Sessions, and Police Offices.

Chapter I Commencing with Section I	Rules for the assessment and collection of the land Revenue and trial of Revenue Suits at the Presidency	

Chapter

Chapter II Commencing with Section IX	Rules for the collection of the tax called "Market Fees" on shops and Stalls, on beating the Battakee, on Country Music, and on the erection of wedding Sheds, and other places of public amusement.	
Chapter III Commencing with Section XVII	Rules for levying a tax on houses on the Island of Bombay, situated beyond the limits of the Town of Bombay and on the Island of Colaba.-	
Chapter IV Commencing with Section XXIV	Rules for levying a tax on Carriages and riding horses, on the Island of Bombay.-	
Chapter V. Commencing with Section XXIX	Rules for giving notice to the Collector of Bombay of the transfer of the possession of lands houses or tenements subject to quit or ground rents.	
Chapter VI. Commencing with Section XXX	Rules for levying fees in the Court of Petty Sessions, and in the Offices of the Magistrates of Police.	

Regulation XXXII A.D. 1827.

(Supplement 1st to Regn XIX A.D. 1827.)

Passed on the 3rd September 1827.

For increasing the taxes on Carriages and horses at the Presidency, made with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the Affairs of India.-

Regulation XX A.D. 1827.

Passed on the 1st January 1827

For the collection of customs and duties by Sea and land, including rules for the control to be exercised by the Officers of the Marine & Sea custom Departt over coasting Vessels and smaller Craft.-

Chapter I Commencing with Section I	Existing enactments temporarily maintained in force, in some points with reference to the Presidency and Guzerat, and in others with reference to the Presidency alone, and in others extended to Guzerat and the Konkans	

Chapter

Chapter II Commencing with Section IV.	Of Establishments for collecting Sea Customs in the Territories subordinate to Bombay and of their internal management.	
Chapter III. Commencing with Section XI.	Rules regarding corrupt breach of duty by Native Officers in the Department of Sea Customs at Subordinates.	
Chapter IV. Commencing with Section XII	Rules to be observed on the arrival of Vessels and for landing and transhipping goods at the ports of Guzerat and the Konkans.	
Chapter V. Commencing with Section XX.	Of the Registering and marking of Vessels in Guzerat and the Konkans of Grabs and of the departure of Vessels from the ports of the said provinces.	
Chapter VI. Commencing with Section XXVI	Of Sea Customs on imports and exports at the ports of the Konkans.	
Chapter VII. Commencing with Section XXIX	Exemptions in favour of His Majesty's Navy and regarding certain publick Stores to be observed at the ports of Guzerat and the Konkans.	
Chapter VIII. Commencing with Section XXX	Of the Collections of inland duties.	
Chapter IX Commencing with Section XXXI.	Rules for the Sea Customs department for conducting confiscations and levying penalties incurred under this Regulation.	

Regulation XXI. AD. 1827.

Passed on the 1st January 1827

For collecting Customs on Opium and other specified Articles, and imposing restrictions on the trade thereon, made with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the affairs of India.

Chap.

Chapter I commencing with Section I	Duties to be levied except under certain circumstances on Opium imported at the Presidency of Bombay or in the Territories subordinate thereto.	
Chapter II Commencing with Section III	Penalties for smuggling Opium, and for abetting and concealing the said smuggling, modes of enforcing those penalties and rewards to informers.	
Chapter III. Commencing with Section VIII.	Of the supply of Opium for internal Consumption and of its passage from place to place.	
Chapter IV Commencing with Section X	Rules for the retail of Opium and penalties for breach of the same.	
Chapter V Commencing with Section XVII.	Places at the Presidency of Bombay where Tobacco and Snuff not being of British manufacture and Ganza, are allowed to be imported and prohibition against their being imported elsewhere at the said Presidency forms to be observed on their importation and duties to be levied.	
Chapter VI Commencing with Section XX.	Rules under which Tobacco and Snuff not being of British manufacture and Ganza which have been imported into the Island of Bombay shall be deposited in, and delivered out, of the Custom House Warehouse, and	

	and for sale of the said articles at the Presidency -	
Chapter VII Commencing with Section XXXII	Rules for the exportation from the Presidency of Tobacco and Snuff not being of British manufacture, and Ganza and drawback allowed on the same.	
Chapter VIII Commencing with Section XXXIV	Penalties for smuggling Tobacco or Snuff not being of British manufacture or Ganza, at the Presidency of Bombay and for abetting or concealing the same and for breach of the rules established for the retail trade in the same, mode of inforcing the said penalties, and rewards to informers -	
Chapter IX Commencing with Section XLIV.	Restrictive rules for the retail sale of poisonous substances within the Zillas subordinate to the Presidency of Bombay.	
Chapter X Commencing with Section XLVI.	Rules regarding the importation of liquors at Bombay and duties to be levied thereon.	
Chapter XI Commencing with Section LIV.	Rules under which spirituous liquors are allowed to be manufactured at Stations subordinate to the Presidency of Bombay and duties to be levied thereon.	

Chapter

Chapter XII Commencing with Section LXI.	Rules under which Spirituous liquors of Country manufacture are allowed to be sold at Stations subordinate to the Presidency of Bombay and duty to be levied thereon. —	
Chapter XIII Commencing with Section LXVII	Penalties for breach of the rules contained in Chapters XI and XII, mode of enforcing them and rewards to informers. —	

Regulation XXXIII A.D. 1827.

Supplement 1st to Regn. XXI A.D. 1827.

Passed on the 3rd September 1827.

For Modifying the provisions in force regarding the duty levied, and drawback allowed on Tobacco imported into, or exported from the Presidency of Bombay or the Zillas subordinate thereto, and the amount of duty leviable on Spirits manufactured or imported within the said Presidency or Zillas made with the Sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies and with the approbation of the Board of Commissioners for the Affairs of India. —

Regulation

Regulation XXIII. A.D 1827.

Passed on the 1st January 1827

Imposing certain restrictions on money transactions between persons filling certain Civil offices, and others, and on the employment of individuals with whom they may have such transactions, by the said Officers in Official Capacities; on the possession of landed property by Europeans and Americans and on the general use of uniforms and badges.

Chapter I Commencing with Section I	Prohibition against money transactions between certain Civil Officers and Certain Natives and against the said Civil Officers unauthorizedly employing their Native Creditors in Official Capacities.	
Chapter II Commencing with Section III	Restrictions on the occupation of land by Europeans or Americans.	
Chapter III Commencing with Section V.	Restrictions on the use of uniforms and badges.	

Regulation XXIV A.D. 1827.

Passed on the 1st January 1827

For restricting the Establishment of printing presses and the circulation of printed Books and papers.

Regulation XXV A.D. 1827.

Passed on the 1st January 1827.

For confinement of state prisoners and for the attachment of the lands of Chieftains and others for reasons of State.

Chapter I Commencing with Section I.	Rules for the apprehension and confinement of individuals as State Prisoners.	
Chapter II Commencing with Section VII	Rules for the attachment of lands for reasons of State and for removing such attachment.	

Regulation XXVI A.D. 1827.

Passed on the 1st January 1827.

For the appointment and removal of Kazees, and for ensuring an efficient and regular discharge of their duties.

Chapter I Commencing with Section I	Of the appointment suspension and removal of Kazees.	
Chapter II Commencing with	Of the duties and emoluments of	

Regulation XXVII A.D. 1827.
Passed on the 16th May 1827.
For abolishing the Zilla Court of Broach and for attaching the districts composing the Broach Zilla to the Zillas of Surat and Kaira.

Regulation I A.D. 1828.
(Supplement 1st to Regn XXVII A.D. 1827.)
Passed on the 7th January 1828.
For rendering the designation and duties of the Officers employed under Regulation XXVII of 1827. in the Civil Administration of the Broach Collectorship, conformable to the Rules of the revised Code of Regulations, and declaring the substitution of the said Code for the Regulations issued previously to 1st January 1827.

This Regulation rescinded by Regn IX A.D. 1828.

Regulation II A.D. 1828
(Supplement 2d to Regn XXVII A.D. 1827.)
Passed on the 17th January 1828.
For rendering the duties of the Officers of the department of Criminal Justice employed under Regulation XXVII of

		This Regulation rescinded by Regn X A.D. 1828.

Regulation IX A.D. 1828

/Supplement B.t to Regn XXVII A.D. 1827./

Passed on the 20th August 1828.

For rescinding /Regulation I of A.D. 1828/ Supplement 1st of Regulation XXVII of A.D. 1827./ as well as so much of the latter as relates to Civil Jurisdiction.—

Regulation X A.D. 1828.

/Supplement 4.t to Regn XXVII A.D. 1827/

Passed on the 20t August 1828.

For rescinding Regulation II A.D. 1828/ 2d Supplement to Regulation XXVII of A.D. 1827./ as well as so much of the latter as relates to Police and Criminal Jurisdiction.—

Regulation XXVIII A.D. 1827

Passed on the 1st August 1827

For fixing the date from whence certain Regulations passed on the 1st January 1827 are to take effect.

Regulation XXIX A.D. 1827.

Passed on the 1st August 1827.

For bringing under the operation of the Regulations the Bombay Territories in the

Regulation IV A.D. 1828.

Supplement 1st to Regulation XXIX A.D. 1827

Passed on the 21st May 1828.

For bringing under the operation of the Stamp Regulations, the Bombay Territories in the Deckan and Khandeish including Solapoor.

Regulation V A.D. 1828.

Supplement 2d to Regn. XXIX A.D. 1827.

Passed on the 21st May 1828

For prescribing Rules under which the Jurisdiction of the Deputy Agent for the Adjusting of Sirdars claims in the Deckan, in the trials of suits against Sirdars shall be exercised; and for defining, in certain instances, the powers of the agent to hear and determine Appeals from his deputy.

Regulation XXX A.D. 1827.

Passed on the 1st August 1827.

Enacting certain modifications of Regulations XII XIII, XIV and XV of 1827 with reference to the Zillas of Poonah and Ahmednuggur.

Regulation XXXI A.D. 1827.

Passed on the 1st August 1827

To explain the principles on which the introduction of the revised Code of Regulations is to be effected.

Regulation XIV A.D. 1828.

Passed on the 3d September 1828.

For levying a toll at the Sion Causeway made with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East-Indies, and with the approbation of the Board of Commissioners for the Affairs of India.

Regulation II A.D. 1829.

Passed on the 19th of August 1829

For establishing Rules and Articles for the better Government of the Native Officers and Sepoys in the Service of the United Company of Merchants of England trading to the East-Indies under the Presidency of Bombay.

Regulation IV A.D. 1828.
(Supplement 1st to Regulation XXIX A.D. 1827)
Passed on the 21st May 1828.
For bringing under the operation of the Stamp Regulations, the Bombay Territories in the Dekhan and Khandesh including Solapoor.

Regulation V A.D. 1828.
(Supplement 2d to Regn XXIX A.D. 1827.)
Passed on the 21st May 1828.
For prescribing Rules under which the Jurisdiction of the Deputy Agent for the Adjusting of Sirdar's claims in the Dekhan, in the trials of suits against Sirdars shall be excuted; and for defining, in certain instances, the powers of the agent to hear and determine Appeals from his deputy.

Regulation XXX A.D. 1827.
Passed on the 1st August 1827.
Enacting certain modifications of Regulations XII XIII, XIV and XV of 1827 with reference to the Zillas of Poonah and Amednuggur.

Regulation I A.D. 1829.
(Supplement I to Reguln XXX A.D. 1827.)

Regulation XXXI A.D. 1827.

Passed on the 1st August 1827

To explain the principles on which the introduction of the revised Code of Regulations is to be effected.

Regulation XIV A.D. 1828.

Passed on the 3d September 1828.

For levying a toll at the Sion Causeway made with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East-Indies, and with the approbation of the Board of Commissioners for the Affairs of India.

Regulation II A.D. 1829.

Passed on the 19th of August 1829

For establishing Rules and Articles for the better Government of the Native Officers and Sepoys in the Service of the United Company of Merchants of England trading to the East-Indies under the Presidency of Bombay.

INTERPRETATIONS

ON THE

BOMBAY REGULATIONS

AND

ACTS OF THE GOVERNMENT OF INDIA,

DECLARED BY THE

SUDR DEWANEE AND SUDR FOUJDAREE ADAWLUT,

Bombay.

REVISED AND CORRECTED UP TO SEPTEMBER 1850.

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1850.

INTERPRETATIONS

ON THE

BOMBAY REGULATIONS

AND

ACTS OF THE GOVERNMENT OF INDIA.

REGULATION II. OF 1827.

SECTION XXVIII.—On a Case before the Court, it was declared that it is not competent to a Zillah Judge to entertain Appeals from the Orders passed under Section V. Act XX. of 1841, of a Senior Assistant Judge at a detached Station, on whom the special authority contemplated by Section XXVIII. of Regulation II. of 1827 has been conferred, but that Appeals from such orders lie to the Sudr Dewanee Adawlut direct.

Register Sudr Dewanee Adawlut,
2nd December 1845.

SECTION XLIII.—On a question referred, it was declared that it is not competent to a Judge to refer Suits for trial to a Principal Sudr Ameen, Sudr Ameen, or Moonsiff, in which a public Servant is Defendant, for acts done by him in his official capacity.

Register Sudr Dewanee Adawlut,
23rd December 1843.

SECTION XLIX.—It was declared, on a reference from the Judicial Commissioner for Guzerat on Circuit, that the power of the Zillah Judge to assign Pleaders to certain Courts can only be exercised in respect to those at the Sudr Station.

Register Sudr Dewanee Adawlut,
10th February 1847.

APPENDIX E.—In a Case before the Court, it was declared that the 17 Villages named below, belonging to His Excellency the Nawab of Sucheen, surrounded by the lands of villages belonging to the Purgunnas of Parchol and Chorasee, of the Surat Zillah, form no part of the Purgunnas of Parchol and Chorasee, within the meaning of Regulation II. of 1827, inasmuch as they have never formed part of the Territories of the Hon'ble East India Company:

Villages.	*Purgunnas.*
1. Sursana	Chorasee.
2. Oodhna	
3. Bonode	
4. Rawula	
5. Kunsar	
6. Doomus, including Bheempore and Giveur	
7. Sarolee	
8. Ghoradura	
9. Dukshunwara	
10. Bhatya	
11. Oon	
12. Turaj	
13. Vercha	Parchol.
14. Wasun	
15. Kotha	

Villages.	*Purgunnas.*
16. Sucheen 17. Lajpore	} Chorasee.

Register Sudr Adawlut,
1*st May* 1849.

APPENDIX E.—It is declared that the Village of Poona, in the Chowrasee Purgunnah of the Surat Zilla, forms no part of the Purgunnah of Chowrasee, within the meaning of Regulation II. of 1827, for the reason assigned in the Interpretation of the 1st May 1849, on the said Regulation, Appendix E.

Register Sudr Adawlut,
17*th July* 1849.

REGULATION III. OF 1827.

SECTION XII.—On a Case before the Court, it was declared that the Decision or Minute of the Judge which is described in Act XII. of 1843 is a document, an authenticated copy of which may be granted on application in writing, under the Rules laid down in Section XII. of Regulation III. of 1827.

In re MAERAM DAJY VUKEEL.
Register Sudr Dewanee Adawlut,
28*th April* 1849.

REGULATION IV. OF 1827.

CHAPTER XI.—On a question referred, it was declared that a party imprisoned under the provisions of this Chapter who may obtain his release by payment of the fine awarded, is entitled to credit for such part of the amount as bears a proportion to the period of imprisonment undergone.

Register Sudr Dewanee Adawlut,
19*th February* 1844.

SECTION XXXIV. *Clause 4th.*—In Cases in which, by any existing Law, a Judge of a Civil Court is empowered to transfer or commit a person for trial on a criminal charge to a Magistrate or Session Court, it was declared that it is competent for such Civil Judge to take recognizance or security for his appearance before the authority to whom he is to be transferred.

Register Sudr Dewanee Adawlut,
30*th November* 1848.

REGULATION VIII. OF 1827.

On a Case before the Court, it was declared that there is nothing in Acts XIX. and XX. of 1841 forbidding the grant of Certificates of heirship, as provided for in Regulation VIII. of 1827.

Register Sudr Dewanee Adawlut,
20*th November* 1848.

REGULATION XII. OF 1827.

SECTION XXV.—A Case having occurred in which a Magistrate admitted a person to bail who was charged with an attempt to commit a Murder, it was declared that an attempt to commit Murder was not a bailable offence.

In re POONJA UJBA.
Register Sudr Foujdaree Adawlut,
29*th July* 1842.

REGULATION XIII. OF 1827.

SECTION XXIX. *Clause 3rd.*—On a question raised, it was declared that it is competent to the Sudr Foujdaree Adawlut, under Clause 3rd, Section XXIX. of Regulation XIII. of 1827, to return a Case referred to it for confirmation by a Session Court, in order that further evidence may be taken for the prosecution, when such procedure appears necessary for the ends of justice.

Register Sudr Foujdaree Adawlut,
12th September 1846.

SECTION XXXVIII. *Clause 4th.*—On a Case before the Court, with reference to the Interpretation on Section XXVII. of Regulation XIII. of 1827, of the 15th January 1829, it was declared that it is not lawful for a trying Authority to find a Prisoner guilty of receiving stolen goods who has been charged with Robbery only.

In re HIMMUTBHAE CHOTABHAEE.
Register Sudr Foujdaree Adawlut,
12th March 1849.

SECTION XXXIX.—A Case having occurred in which a Session Judge held that the confessions of Prisoners before a Police Authority were not available to his Court, under Section XXXIX. of Regulation XIII. of 1827, it was declared that the term "oral declaration" in this Section referred to the depositions of Witnesses only, and not to the statements alluded to in Clause 1st of Section XXXVII. of the above Regulation.

In re SHUMBOO WULUD RHANBA ADNOW WAGMODAY.
Register Sudr Foujdaree Adawlut,
1st April 1842.

REGULATION XIV. OF 1827.

SECTION VI. *Clause 2nd, and* SECTION XII. *Clause 2nd.*—A Case having occurred in which the consideration of the Court has been given to the mode of carrying out the requirements of the Law contained in Section VI. Clause 2nd, and Section XII. Clause 2nd, of Regulation XIV. of 1827, it is determined that the requirements of the Law, so far as concern the Sentence on a Prisoner convicted of Treason, are fulfilled by the award of death and confiscation of property; and as it will frequently be impracticable that the assignment prescribed in the former Section can be simultaneous with the passing of the Sentence, the adjudicating Authority shall immediately, or as soon after passing Sentence as circumstances may admit, issue such orders as may seem to him advisable, to the Magistrate of the Zillah, for ascertaining the extent of the Convict's property, in order to the fixing the proportion to be assigned for the maintenance of the family of the offender.

Acting Register Sudr Foujdaree Adawlut,
3rd May 1848.

REGULATIONS XIV. AND XXX. OF 1827.

SECTION XVI. *of* REGULATION XIV. *and* SECTION IV. *of* REGULATION XXX.—On a question being raised, it was declared that it is not competent to a Session Judge to refer Cases of Perjury, committed before himself, to an Assistant Session Judge for trial.

Register Sudr Foujdaree Adawlut,
28th March 1843.

REGULATION XVII. OF 1827.

CHAPTER III.—On a reference made, it was held, in supercession of the construction of the 11th April 1835, on this Law, that the provisions of Chapter III. of Regulation XVII. of 1827, taken

in connection with Regulation XVI. of 1827, Section II. Clause 1st, apply to all Revenue demands, of whatever kind.

Register Sudr Dewanee Adawlut,
1st *August* 1842.

SECTION XXXI. *Clause 3rd.*—It was asked if a note of hand, passed by a Ryot for a balance of Revenue, was to be considered as taking the Case out of the provisions of this Clause, in an action brought upon the note, so as to render the action cognizable in the Adawlut. It was declared that the action must be brought in the Collector's Court, as a simple acknowledgment did not alter the original nature of the Case.

Secretary to Government,
26*th February* 1829.

☞ The above was erroneously omitted in the former printed Collections.

REGULATION XXII. OF 1827.

SECTION III. *Clause* 1*st*, *Article* 4.—On a question arising, it was declared that the temporary employment within the limits of a Camp, in the course of his ordinary avocation, of a party who has no other claim to be considered a Camp Follower, is insufficient to render the provisions of Regulation XXII. Section III. Clause 1st, Article 4, of 1827, applicable to such party, who is held to be amenable to the Civil Power for all criminal acts committed by him.

Register Sudr Foujdaree Adawlut,
5*th July* 1844.

SECTION III. *Clause* 4*th*.—On a question raised in a Case before the Court, it was declared that the provisions of Regulation XXII. of 1827 are not applicable to all residents in Camps, but to those only belonging to, or connected with, the Bombay Army.

Register Sudr Foujdaree Adawlut,
16*th November* 1846.

REGULATION III. OF 1830.

SECTION III.—On a Case coming before the Court, it was declared that a Session Judge cannot try a Case of Perjury committed before himself in his capacity of Civil or Session Judge, without a preliminary investigation before a Magistrate, and a regular commitment of the accused to the Session Court.

In re DHONDO LUXIMON GUBBALAY.

Register Sudr Foujdaree Adawlut,
13*th November* 1848.

REGULATION IV. OF 1830.

SECTION III.—On a question referred, it was declared that the grant of any of the powers of a Magistrate, under the provisions of Act XIV. of 1835, does not divest a Zillah Magistrate of the authority vested in him by Regulation IV. of 1830, in regard to any Officer within his jurisdiction on whom such special power has been conferred.

Register Sudr Foujdaree Adawlut,
22*nd September* 1845.

SECTION III.—On a question referred, it was declared that besides those Cases provided for by the Interpretation of 20th September 1841, any Sentence passed by an Assistant Magistrate may be quashed by the Magistrate, and the Case committed for trial to the Session Court.

In re KUMABHAEE OGURBHAEE *and* MUCCUNBHAEE OGURBHAEE.

Register Sudr Foujdaree Adawlut,
14*th August* 1844.

REGULATION VII. OF 1831.

The Sudr Dewanee Adawlut having had under consideration the practice of the Mofusil Courts, as respects Appeals, it is declared that the provisions of Act III. of 1843 limit an Appeal from the Decree of a Principal Sudr Ameen, Sudr Ameen, or Moonsiff, to one Appeal to the Zillah Court; or, at a detached Station, to the Senior Assistant Judge.

All second Appeals within the Zillah are abolished, by Act III. of 1843.

From the Decree on Appeal in the Zillah, a Special Appeal lies to the Sudr Dewanee Adawlut.

Register Sudr Dewanee Adawlut,
16*th July* 1849.

ACT XVII. OF 1837.

On a question referred, it was declared that offences against the provisions of Act XVII. of 1837, wheresoever committed, are cognizable only by the Civil Tribunals.

Register Sudr Foujdaree Adawlut,
15*th April* 1845.

ACT XVI. OF 1838.

On a question being submitted, it was declared that Suits involving questions of rent of Land of the current and all former years, as defined in Section XXVII. and Clause 1st, Section XXIX. of Regulation XVII. of 1827, are cognizable before Revenue Courts only, under Clause 3rd, Section XXXI. of the said Regulation, and Clause 3rd, Section I. of Act XVI. of 1838.

Register Sudr Dewanee Adawlut,
17*th July* 1844.

ACT XI. OF 1840.

It was declared, in review of a Case, that the provisions of Act XI. of 1840 do not authorize a Sentence of solitary imprisonment uncombined with imprisonment with hard labour, in Cases where the punishment of solitary imprisonment is not prescribed for the offence committed, by the General Regulations.

Register Sudr Foujdaree Adawlut,
12*th September* 1842.

ACT II. OF 1841.

On a reference, it was declared, that, no other authority being therein specified, the execution of penalties awarded under the provisions of Act II. of 1841 rests with the Magisterial Department; and that such should not be enforced by a Collector in his fiscal capacity.

Register Sudr Foujdaree Adawlut,
18*th January* 1843.

ACT V. OF 1841.

On a Case before the Court, it was declared that the words "Judge" or "Judges," in Act V. of 1841 mean any person or persons to whom the Government may issue a Commission for the trial of State offences, under Section II. of the Act.

Register Sudr Foujdaree Adawlut,
18th *January* 1849.

ACT III. OF 1843.

In a Case before the Court, it was declared that the provisions of Act III. of 1843 limit Special Appeals from Decrees in regular Appeals to the Sudr Dewanee Adawlut.

Register Sudr Dewanee Adawlut,
12*th September* 1846.

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